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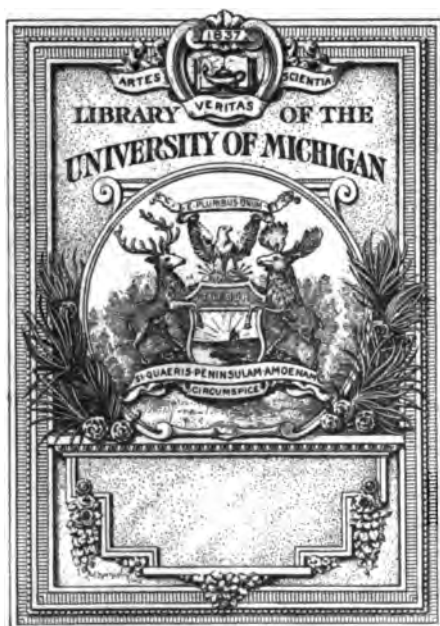
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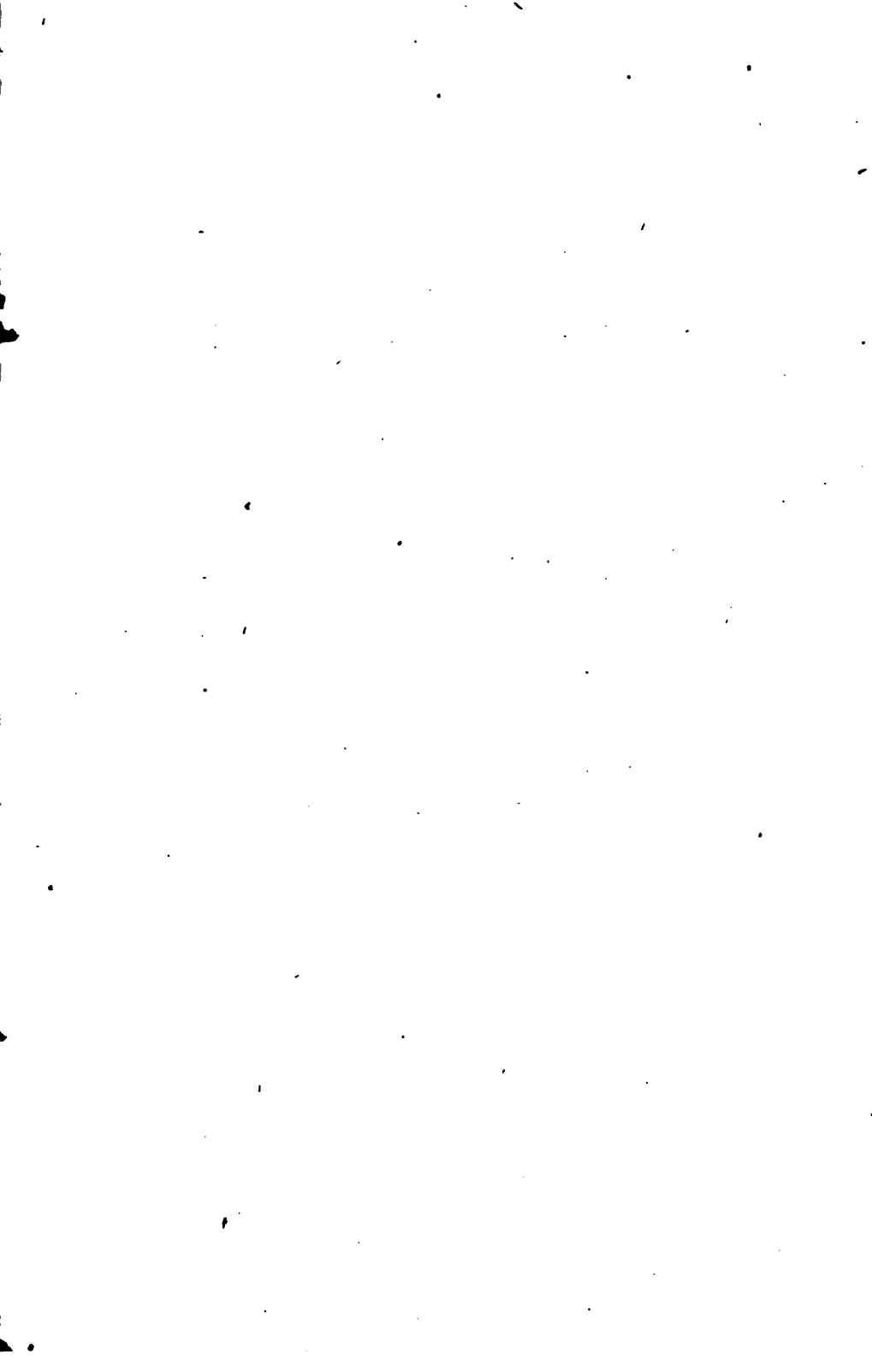






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JOURNAL

OF

THE SENATE

OF THE

TWENTY-EIGHTH GENERAL ASSEMBLY

OF THE

STATE OF ILLINOIS,

BEGUN AND HELD AT SPRINGFIELD,

JANUARY 6, 1874.

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SPRINGFIELD:

STATE JOURNAL STEAM PRINT.

1874.



## JOURNAL OF THE SENATE.

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TUESDAY, JANUARY 6, A. D. 1874—12 O'CLOCK, M.

Senate met, pursuant to the adjournment of May 6, 1873.

Hon. John Early, President, in the chair.

Prayer by the Rev. Mr. Hale.

The journal of May 6, 1873, was read and approved.

Mr. Glenn presented the credentials of Maurice Kelly, Senator elect from the 37th district, elected to fill vacancy occasioned by the resignation of George W. Burns.

Benjamin R. Sheldon, a judge of the supreme court, then administered the oath of office prescribed by the constitution to Maurice Kelly, Senator elect from the 37th district, who thereupon took his seat.

On motion of Mr. Nicholson,

A call of the Senate was ordered, when the following answered to their names :

Messrs. Archer, Baldwin, Brown, Burke, Casey, Castle, Crews, Cummings, Cunningham, Cusey, Dow, Ferrell, Glenn, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, Murphy, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Short, Starnes, Steele, Upton, Voris, Ware, Warren, Whiting, Wilcox, Yager, Youngblood, Mr. President—41.

On motion of Mr. Reynolds,

Further proceedings under the call were dispensed with.

Leave of absence was granted Mr. Donahue during the week.

On motion of Mr. Reynolds,

Leave of absence was granted Mr. Waite for the week.

On motion of Mr. Hampton,

A committee of three was appointed to wait on the Governor and inform him that the Senate is now ready for the transaction of business.

The President appointed as such committee Senators Hampton, Casey and Yeager.

The committee waited on the Governor and reported that he would communicate to the Senate by message.

Mr. Nicholson presented a petition from the citizens of Logan county relating to repeal of a certain act.

Which was referred to the committee on counties and township organization.

Mr. Steele (by unanimous consent) introduced Senate bill, No. 435, for "An act to amend an act entitled 'an act concerning circuit courts,



and to fix the times for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook."

Which was ordered to a first reading.

On motion of Mr. Steele,

The rules were suspended and the bill read at large a first time, and ordered to a second reading, and referred to the committee on judicial department and apportionment.

Mr. Hinchcliffe (by unanimous consent) presented a petition relating to the village of "Prairie du Pont."

Which was referred to the committee on judiciary.

Mr. Cusey (by unanimous consent) introduced Senate bill, No. 436, for "An act extending the time for the collection of taxes on the assessment for the year A. D. 1873, and delinquent and omitted taxes in the assessment book for said year."

Which was ordered to a first reading, and,

On motion of Mr. Cusey,

Referred to the committee on revenue.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to lay before the Senate the following communication and the report of the Illinois Institution for the Education of Feeble-minded Children, report of Railroad and Warehouse Commissioners, and a circular relating to the International Exhibition of 1876:

EXECUTIVE DEPARTMENT,  
SPRINGFIELD, ILL., January 6, 1874.

*To the Senate and House of Representatives:*

GENTLEMEN: Since your adjournment, seed-time and harvest have occurred. Health, peace and plenty have crowned the year. Law has been respected; public order has prevailed; and you meet again as the representatives of a great, growing and generous people.

It has been my endeavor to acquaint myself with the management and wants of the public institutions of the State. It is gratifying to say that the management is generally satisfactory, and the wants, with one exception, beyond appropriations made, are very limited. In pursuance of law, I have appointed a Board of Trustees for the Southern Insane Asylum, and also for the Southern Normal University; and I recommend that the Board of Commissioners, authorized by an act approved April 15, 1871, be abolished, and the powers and duties thereof be conferred, respectively, upon the trustees of said institutions. The north wing of said Asylum was opened for the reception of patients the 15th of December last in accordance with my proclamation. To hasten the completion of the central building, the appropriation for which is payable out of the levy of 1873, the contract has been let. The wants of the institution require an appropriation, for additional furniture, for building a road to depot, for out-buildings, and for sundry improvements and outlays upon the grounds and farm, which I respectfully ask the Legislature to make.

The Southern Normal University is nearly completed and furnished, and I urge the passage of the bill pending for current expenses, and recommend an appropriation for grading and improving the grounds.

The work on the Northern Illinois Hospital and Asylum for the Insane has progressed satisfactorily. The central building will be finished April first, and the south wing September first, next. In view of this early completion of the entire building, it will be necessary for the Legislature to provide, by appropriation, the ordinary expenses for 225 additional patients.

The Illinois Charitable Eye and Ear Infirmary has laid the foundation for a plain, neat and substantial edifice, on a desirable lot in the West Division of the city, donated by the Chicago Relief and Aid Society.

The new building for the Education of the Blind is enclosed and under contract, to be finished by August first, next. Before the building can be made available, an appropriation for heating and furnishing is required, which I recommend.

The dining hall for the Deaf and Dumb Institution is erected and in use, and the foundations for the chapel and school building are laid.

The Institution for the Education of Feeble-minded Children is, in my opinion, a public charity worthy of your serious consideration. I am aware money is stringent, and the people are burdened with taxation; yet, out of sympathy for this class of unfortunate and their parents, many of whom are poor, and having confidence in the usefulness of the institution, I favor the appropriation to provide permanent and adequate buildings for the same, a bill for which is pending before the Legislature. The annual report of the trustees of this institution is herewith submitted.

The Soldiers' Orphans' Home is a model of neatness, thrift and economy, and an honor to the patriotism of the State. The annual report of the trustees represents the needs of the Home, to which the Legislature is respectfully referred. That the orphans of our brave dead may be better clothed, fed and cared for, I recommend the appropriation asked for in that report. I know it may be said that many of the inmates have more comforts and advantages than they otherwise would. If this was not so, the institution would fail of its object, and be a disgrace to a Christian people. The care of the State is a small recompense for the loss of home, ever so humble, and for the loss of a loving father, ever so low his station in life, yet good enough to die for his country.

The affairs of the Illinois Hospital for the Insane, and the Normal University, have been wisely and economically administered, and these institutions at present require no additional appropriations.

Pursuant to an act approved May 7, 1873, and in force July 1, 1873, the board of trustees of the Illinois Industrial University has been reorganized. The new building is finished and occupied. The institution is in a flourishing and prosperous condition, and is worthy of the fostering care of an industrial people.

By the terms of the act incorporating the Illinois Agricultural College, located at Irvington, in Washington county, certain college and seminary lands of the State were granted this institution. The College is the owner of 550 acres of land and buildings, and last year had an attendance of 236 students. I respectfully suggest that the Legislature take action to determine the relation of this institution to the State, and ascertain what interest the State has in its property, and make such disposition thereof as may be equitable and just to all parties concerned.

The Board of Trustees of the Reform School has been reorganized as required by an act in force July 1, 1873. This institution is fully meeting the expectations of its friends. Its wants are made known in the Annual Report of the Trustees, herewith presented to the Legislature. Its inmates are largely in excess of its accommodations, and humanity and public interest, in my opinion, demand the passage of the bill pending, making appropriations to that institution.

The Penitentiary, in years past an expense to the State, under the system of hiring the labor of the convicts, is self-sustaining, and asks no appropriation. The health and tone of the prison were never better. The discipline, less severe, is firmer and improved, the result of which is apparent in the largely diminished number of punishments, and in the increased amount and quality of work performed.

The Canal Commissioners furnish a report for the last fiscal year, which I have the honor to transmit herewith. The affairs of the Canal and the Illinois River Improvement are managed with great prudence and economy. I join the Commissioners in recommending an appropriation of \$1,600 for repairing the lock-gates of the Little Wabash River Improvement, to make that improvement available to the south-eastern section of the State. The Commissioners have been to extraordinary expense in rebuilding the dam across Fox river at Dayton, and in removing the earth-slides from the canal between Bridgeport and the Sag. The latter threatens to be a source of trouble and expense in the future.

The revenues of the Canal and Lock at Henry, from all sources, for the fiscal year ending November 30, 1873, amount to \$174,359 06, being \$838 91 less than the year preceding. The net revenues having been appropriated for the construction of a lock and dam across the Illinois river, at or near Copperas creek, the Commissioners, on or before October 30, 1873, deposited with the State Treasurer \$100,000 for that purpose; and the Treasurer, as directed by law, invested the same in U. S. bonds.

The Commissioners caused an estimate to be made of the cost of constructing the said lock and dam, which estimate was \$437,493. Being less than the limitation of the act, this estimate was approved by the Executive and filed with the Auditor.

Congress, at its last session, appropriated \$100,000 for the improvement of the Illinois river. Believing that the most judicious expenditure of this appropriation would be in aiding the State to carry out its system of improvements on that river, application, at an early day, was made to the proper United States authorities, for the expenditure of a portion of that appropriation, in putting in the lock bottom at Copperas creek, which application was successful. The United States government has undertaken to put in the lock bottom, at a cost of about \$80,000. The work is under contract to be completed June 1, 1874, and it would have been completed early in the spring, had not the late high water caused serious delay.

Since the making of said report, the Commissioners, in pursuance of law, have contracted with Willard Johnson, Esq., to construct the lock and dam at Copperas creek, for \$267,219; so that the entire cost to the State, including all incidentals, will not be far from \$300,000, instead of \$430,000, as contemplated by the act authorizing the construction.

The Legislature has under consideration the revision of the laws, and I urge the completion of the revision by this General Assembly, and the publication of the laws, in a compact form, for the use of the various officers throughout the State. The State has not copies of the session laws for general distribution. If it had, the laws in that form are inconvenient, especially to a large number of persons, not versed in law, who exercise official duties for the public good, to the sacrifice of their own private interests.

Horticulture is demanding the attention of many of our citizens, and the friends of that interest, and of the Illinois Horticultural Society, ask the passage of the bill to re-organize that society, and the bill making an appropriation for the same, in which request I join.

In view of the late disaster on one of our railroads, I deem it important for the Legislature to consider whether some additional legislation is not necessary for the better protection of persons and property transported upon railroads in this State; providing severe punishments, not only for placing obstructions upon and tearing up the track but for injury to person and property through carelessness or negligence of officers and employees of railroad companies.

I desire to call the attention of the Legislature to the International Exhibition of 1876, in Philadelphia, and submit, herewith, for its consideration, a circular issued November 12, 1873, by the United States Centennial Commission, inviting the several States and Territories to appoint State Centennial Managers. The importance of this exhibition, international in its character, commemorative of American Independence, and associated with the honor and future prosperity of the nation, demands that the arts, manufactures and products of the soil and mines of Illinois be well represented; and I ask that the Legislature take early action, and intimate, by law or resolution, the will of the people in this matter.

I submit, herewith, with my full approval, the annual report of the Railroad and Warehouse Commissioners. The Commissioners, by law, have the supervision of railroads and warehouses, as related to the public interests, the registration of warehouse receipts, and inspection of grain in every city in which is located a warehouse of class A, and of the making and revising for each of the railroad corporations doing business in this State, a schedule of reasonable maximum rates of charges for the transportation of passengers, freight and cars. Their work is vast, comprehensive and difficult, involving immense interests. They have discharged their official duties with an earnestness and fidelity worthy of commendation, of which their full and able report is ample evidence. The Commission was unfortunately deprived of the services of one of its members; and in the death of Hon. H. D. Cook, chairman of the Board, the Commission and the State suffered great loss.

It is the constitutional duty of the General Assembly to pass laws for the inspection of grain, for the protection of producers, shippers and receivers of grain and produce; and it is important to consider whether the present legislation is sufficient to protect these classes.

It is also the constitutional duty of the General Assembly to pass all necessary laws to prevent the issue of false and fraudulent warehouse receipts. Public warehouses, in which large quantities of grain are stored in bulk, and the grain of different owners is mixed, are vast grain banking houses,

issuing receipts, commercial in their character, representing large values, and held as securities for advances. The best interests of production and commerce demand that these receipts be *genuine* and *honored* when presented, or some legal excuse given therefor. In my opinion additional legislation is needed for the better protection of all parties against the use of false and fraudulent warehouse receipts.

In every city, in which is located a warehouse of class A, the State has assumed the inspection of grain. It has been my endeavor, and that of the officers having the supervision and charge of the inspection, to improve and perfect that inspection. Some have questioned whether the State inspection is equal to the old system. I am not prepared to recommend any change. I believe the present system gives better satisfaction and an improved confidence among the producing classes.

Under the old constitution the State raised money by taxation for canal purposes, and counties, towns and cities, pursuant to law, voted large sums of money in aid of railroads. By the new constitution both are prohibited. The navigation of our rivers may be improved by the State, but no canal can be enlarged or extended, except by an appropriation of its surplus earnings; and railroads can only be built by private capital.

The prosperity of the State is largely dependent upon its transportation, and very largely dependent upon railroad transportation. On the other hand, the transportation lines are *entirely* dependent upon the people and the industries of the country. Such are the relations of dependency between production and transportation, that any antagonism is detrimental to both. Any policy that affects the one will soon affect the other. One cannot prosper, a long time, at the expense of the other.

The true policy of the State is to foster and encourage railroad corporations, holding them to a strict accountability, and requiring, in the management, safety and economy, without unjust discrimination and extortion. The true policy of railroad corporations is to meet the wants of the people, and encourage the industries of the State, by affording every reasonable facility for transportation, at the *lowest possible paying rates*.

By the terms of the constitution the General Assembly is required to pass laws to correct abuses and prevent unjust discrimination and extortion in the rates of freight and passenger tariffs, and, from time to time, to pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freight on the different railroads in this State. The authority to *correct abuses* is sufficient for the correction of all abuses which railroad corporations may practice. Unjust discrimination and extortion are abuses, and establishing reasonable maximum rates is to prevent such abuses. These abuses are wrongs at the common law, recognizable by the courts, and the courts have the power to determine what act constitutes an unjust discrimination or extortion, or what is a reasonable maximum rate. The constitution is either declaratory of the common law requiring the legislature to enforce laws passed in pursuance thereof, by adequate penalties, even to the forfeiture of property and franchise; or it grants to the legislature the authority to determine, *by law*, what act constitutes an unjust discrimination or extortion, or what is a reasonable maximum rate, which law shall be binding upon railroad corporations, and shall not be questioned by any other branch of the government. The supreme court, in a late decision, inclines to the former construction, and the legislature, by the act approved May 2, 1873, conforms thereto.

Section 3 of said act declares, that certain acts done by railroad corporations shall be deemed and taken, not as unjust discriminations, but as *prima facie* evidence of unjust discriminations. Section 8 directs the Railroad and Warehouse Commissioners to make, for each of the railroad corporations doing business in this State, a schedule of reasonable maximum rates of charges, which shall be deemed and taken, in all the courts of this State, not as reasonable maximum rates, but as *prima facie* evidence thereof.

The commissioners have prepared and published the schedules required by law, and submit the same with their report. By the terms of said act, these schedules become *prima facie* evidence on the 15th instant.

The act approved May 2, 1873, was in force July 1, 1873. On that day, rates were largely advanced on some of the leading lines in the State, under the plea of conforming to law. While this action may have conformed to that part of the law forbidding *unjust discrimination*, it hardly conformed to that part of the law forbidding *extortion*. The plea for this advance cannot be maintained. The wisdom of the advance was soon doubted by railroad managers, and their schedule of rates, in many instances, modified.

What the railroad corporations will do after the 15th of January, when the schedules are in full force, I cannot say. Should they fail or refuse to comply with the terms of the act, it will be the duty of the executive and the officers of the law to execute with energy and enforce with rigor the will of the people, as expressed by the Legislature. The people demand that public corporations shall subserve public interests, and to this imperative demand every branch of government must and will conform. The sooner the problem is solved, the better, in my opinion, for all concerned. Once solved, I feel assured the people will be just and reasonable in their legislation towards corporate bodies, and give them all privileges consistent with the public good.

I recommend a full and fair trial of the law passed at the former session; and if, upon trial, it is found that the schedule of rates prepared and published by the commissioners is unjust or unfair to the people or railroads, the commissioners can change and revise the same, and such action will meet the approval of a candid and considerate people.

All of which is respectfully submitted.

JOHN L. BEVERIDGE.

On motion of Mr. Starne,

The message of the Governor was taken up and read.

Mr. Sheldon (by unanimous consent) offered the following resolution:

*Resolved by the Senate, That 5,000 copies of the Governor's message communicated this day be printed for the use of the Senate.*

On motion of Mr. Sheldon,

The rules were suspended for the purpose of considering the foregoing resolution.

Mr. Yager offered the following amendment:

Amend by adding after the word "Senate," the following: "in English, and 2,000 in German."

Mr. Hampton moved to refer the resolution and amendment to the committee on printing; which motion was decided in the negative.

Mr. Crews offered the following amendment to the amendment, which was lost:

Amend the amendment by adding after the words "in German," "one thousand in Scandinavian."

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Dow, Ferrell, Glenn, Gundlach, Hampton, Hinchcliffe, Kehoe, Kelly, Murphy, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Starne, Steele, Upton, Voria, Ware, Yager, Youngblood—23.

Those voting in the negative are,

Messrs. Baldwin, Burke, Casey, Castle, Crews, Cummings, Cunningham, Cusey, Henry, Hundley, Jacobs, Warren, Whiting, Wilcox—14.

The question then being, "Shall the resolution as amended be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Castle, Cummings, Cunningham, Dow, Ferrell, Glenn, Gundlach, Hinchcliffe, Jacobs, Kehoe, Kelly, Murphy, Nicholson, Reynolds, Sanford, Sheldon, Shepard, Short, Starne, Steele, Upton, Ware, Warren, Yager, Youngblood—27.

Those voting in the negative are,

Messrs. Burke, Casey, Crews, Cusey, Hampton, Henry, Hundley, Palmer, Voria, Whiting, Wilcox—11.

Mr. Steele, (by unanimous consent,) from the joint special committee on revision, made the following report:

*To the Honorable the President of the Senate and Speaker of the House of Representatives:*

Your committee would respectfully report that, pursuant to the following resolutions, to-wit:

*Resolved by the Senate, the House of Representatives concurring therein,* That there be appointed a joint committee on the revision of the Statutes, consisting of two from the Senate and three from the House of Representatives, the committee to act in conjunction with revision commissioners.

*Resolved,* That all bills for the revision of the Statutes which have been prepared by the revision commissioners, and not heretofore acted upon by either house, be submitted to said committee, and that said committee be authorized to continue its session after the adjournment of the present session of the General Assembly until the first day of November next; to employ a clerk, at a compensation not exceeding five dollars per day; and it shall be the duty of said committee, in conjunction with the acting commissioner of revision, to prepare all bills that may be necessary to complete the said revision, and report the same to the next regular or adjourned session of the General Assembly.

*Resolved,* That upon such bills being prepared and approved by said committee, five hundred copies of each be printed for the use of the two houses in the manner provided by law for printing bills, and that two hundred and twenty-five copies thereof be bound together in pamphlet form, and at the opening of the next meeting of the adjourned session of the General Assembly, distributed to the members thereof, and said committee shall distribute one copy of each revised chapter to each member of the General Assembly as soon as revised and printed.

They have prepared, in conjunction with the acting Commissioner of Revision, bills embracing the following subjects, which they have caused to be printed, and herewith submit and recommend their passage, to-wit:

Abatement.

Adoption of Children.

Agricultural Department.

Amendments and Jeofails.

Apprentices.

Attachment of Boats and Vessels.

Attorney General and State's Attorneys.

Attorneys and Counselors.

Canal Companies.

**Charitable Institutions—****Eye and Ear Infirmary.****Hospital for the Blind.****Hospital for the Deaf and Dumb.****Hospitals for the Insane.****Industrial University.****Institution for Feeble-minded Children.****Normal Universities.****Soldiers' Orphans' Home.****Clerks of Courts.****Commissioners of Public Charities.****Commitment of Lunatics to Insane Hospitals.****Common Law.****Construction of Statutes.****Costs.****Counties.****County Clerk.****County Treasurer.****Courts—****Supreme Court.****Circuit Courts and Superior Court of Cook County.****Criminal Court of Cook County.****Terms of Cook County Courts.****County Courts.****Criminal Jurisprudence.****Domestic Animals.****Dower.****Escheat.****Fences.****Ferries.****Frauds and Perjuries.****Fugitives from Justice.****General Assembly.****Habeas Corpus.****Horse and Dummy Railroads.****Husband and Wife. (Submitted without recommendation.)****Illinois and Michigan Canal.****Injunction.****Injuries.****Jails and Jailers.****Joint Rights and Obligations.****Licenses.****Limited Partnerships.****Mandamus.****Militia.****Mines.****Names.****Ne Exeat.****Notices.****Oaths and Affirmations.****Official Bonds.****Oil Inspection.****Pardons.****Paupers.****Plats,**

Promissory Notes, Bonds, Due Bills, etc.  
Quo Warranto.  
Reporter of Supreme Court.  
Seat of Government.  
Slander and Libel.  
State Contracts.  
State Library.  
Sureties.  
Surveys and Surveyors.  
Telegraph Companies.  
Tender.  
Toll Bridges.  
Toll Roads.  
Township Insurance Companies.  
Township Organization.  
Universities and Colleges.  
Vacation of Streets, Alleys and Public Grounds.  
Weights and Measures.  
Amendment to the Revenue Law.  
Amendment to the Law concerning Bail in Civil Cases.  
General Repealing Bill.

By the terms of the resolutions, only the bills for the revision of the Statutes which had been prepared by the Revision Commissioners and not acted upon by either House of the General Assembly, and such part of the revision as had not been prepared, were referred to this Committee.

Revision bills on the following subjects are now pending before the General Assembly, to-wit:

Account—Senate bill 258, on second reading by sections in Senate.

Coroners—Senate bill 293, on third reading in Senate.

Counties—Senate bill 281, passed Senate, and referred by House to this committee, and substitute reported herewith.

Divorce—Senate bill 383, on second reading by sections in Senate.

Dogs—Senate bill 408, referred to judiciary committee of Senate.

Estrays—Senate bill 359, on second reading by sections in Senate.

Forcible Entry and Detainer—Senate bill 360, on third reading in Senate.

Idiots, Lunatics and Spendthrifts—Senate bill 348, on second reading by sections in Senate.

Interest—Senate bill 295, on second reading in House.

Liens of Mechanics and others—Senate bill 403, second reading by sections in Senate.

Marriages—Senate bill 397, second reading by sections in Senate.

Mortgages of Real and Personal Property—Senate bill 315, referred to revision committee of Senate.

Partition—Senate bill 317, third reading in Senate.

Recorders—Senate bill 316, third reading in Senate.

Replevin—Senate bill 291, on first reading in House.

Secretary of State—Senate bill 279, passed in Senate and House, and pending in House on question of receding from its amendment.

Sheriffs—Senate bill 292, on third reading in Senate.

Township Organization—Senate bill 198, referred to this committee by the House and reported with amendments as above.

Venue in Civil and Criminal Cases—Senate bill 280, on second reading in House.

The following revision bills reported to this General Assembly have become law :

Arbitration and Awards.

Auditor of State.

Landlord and Tenant.

Reform School.

State Treasurer.

The committee have not prepared bills upon the subject of dissolution of insurance companies, as Senate bill No. 45, which has passed both houses, and is now pending upon an amendment in the House, in which the Senate refused to concur, covers that subject; nor upon the "police regulations in relation to railroads," as House bill No. 203, which has passed the House and is now pending in the Senate, and Senate bill No. 147, sufficiently cover that subject.

The committee have not, except in two instances, reported bills amending revision acts heretofore passed. They have not felt warranted in reporting such bills under the terms of the resolutions under which they were appointed, if, indeed, they had had sufficient time to prepare the same; they would, however, recommend that the necessary bills be prepared to rectify the errors that have occurred in the passage of former acts, and remove the inconsistencies that exist between the several acts now in force. They would call especial attention to the act in regard to "roads and bridges" in counties not under township organization, approved April 18, 1873. This act, section 23, provides for the impaneling of a jury of six men by the county court to assess damages upon the laying out of new roads. Section 53 provides that on the election of county commissioners, under article 10, section 6, of the constitution, the duties provided to be discharged by the county courts shall devolve upon and be discharged by the board of commissioners. The effect of this provision will be to require the county board, which is in no sense a court, to assume the duties of a court in impaneling a jury. A jury, as is required by section 13, article 2, of the constitution, implies a court of competent jurisdiction to impanel the same, and must consist of twelve men, except in cases before a justice of the peace.

Some objections have been suggested to the eminent domain act. One of most importance is, that it does not provide for the ascertainment of damages in favor of persons whose property is damaged in cases where the corporation exercising the right does not petition for the condemnation of property; that the only remedy in such a case is an action upon the case as for a nuisance, in which the recovery can only be for the damages which may have accrued up to the time of bringing the suit, and a judgment in one suit does not preclude other suits for damages resulting thereafter as long as the improvement may remain.

The resolutions under which your committee was appointed would seem to require the bills to be printed, and that portion of them not required to be bound to be distributed to the members of the General Assembly as fast as the bills were prepared. The committee have found this impracticable, without precluding them from making such changes and corrections as the further progress of their work suggested, and greatly increasing the expense of printing and binding.

The large amount of work required to be done rendered it necessary for the committee to continue its sessions, beyond the time limited by

the resolutions, until the 10th of December, at which time the printing and binding of the bills had not been completed.

Your committee would recommend the compilation and publication of all the general laws which will be in force on the 1st day of July next. They are of opinion that it will be necessary to provide for this by an act to be passed at this session. They would, therefore, recommend that such an act be passed at as early a day as practicable, so that such compilation may be ready for distribution on or before the first day of July next.

All of which is respectfully submitted.

C. W. UPTON,  
C. B. STEELE,  
*of the Senate.*

MILTON HAY,  
CHARLES DUNHAM,  
JOHN M. ROUNTREE.  
*of the House.*

H. B. HURD,  
*Commissioner of Revision.*

On motion of Mr. Palmer,  
The Senate at 1:20 o'clock P. M., adjourned.

WEDNESDAY, JANUARY 7, 1874—9:30 O'clock A. M.

Senate met, pursuant to adjournment.

The journal of yesterday was read and approved.

Mr. Voris (by unanimous consent) introduced Senate bill, No. 437, for "An act to prevent extortion and unjust discrimination in the rates charged for the transportation of freight on railroads in this State, and to punish the same, and prescribe a mode of procedure and rules of evidence in relation thereto."

Which was ordered to a first reading, and,

On motion of Mr. Voris,

Ordered printed.

On motion of Mr. Cummings,

The bill was referred to the committee on railroads.

On motion of Mr. Cummings,

Leave of absence was granted Mr. Short.

Mr. Nicholson (by unanimous consent) introduced Senate bill, No. 438, for "An act to repeal an act entitled 'an act to provide for the election of additional supervisors in the county therein named.'"

Which was ordered to a first reading.

On motion of Mr. Nicholson,

The rules were suspended, the bill was read at large a first time, and ordered to a second reading, and,

On motion of Mr. Nicholson,

Referred to committee on counties and township organization.

Mr. Kehoe (by unanimous consent) introduced Senate bill, No. 439, for "An act to repeal section twenty-five (25) of an act entitled 'an act in



regarn to elections, and to provide for filling vacancies in elective offices,' approved April 3, 1872."

Which was ordered to a first reading, and,

On motion of Mr. Kehoe,

Referred to the committee on elections.

Mr. Kehoe (by unanimous consent) introduced Senate bill, No. 440, for "An act to repeal an act entitled 'an act to fund and provide for paying the railroad debts of counties, townships, cities and towns,' in force April 16, 1869."

Which was ordered to a first reading, and referred to the committee on revenue.

On motion of Mr. Shepard,

The rules were suspended and the following resolution was adopted :

*Resolved*, That the committee on expenses of the General Assembly be and hereby are instructed to ascertain what standing committees of the Senate will require clerks, and to report as soon as practicable to the Senate.

The President announced the pending order of business as being Senate bills on third reading.

On motion of Mr. Sheldon,

The pending order was passed.

Senate bill, No. 398, for "An act to establish an inebriate asylum and to provide for the support of the same,"

Was taken up and read at large a second time, and,

On motion of Mr. Sheldon,

Referred to the committee on state charitable and educational institutions.

Senate bill, No. 217, for "An act in regard to the fees of justices of the peace, constables, jurors and witnesses in criminal cases,"

Was taken up and read at large a second time, and,

On motion of Mr. Cummings,

The bill was ordered laid on the table.

Senate bill, No. 238, for "An act to provide for the payment of military companies while on duty at Chicago in the month of October, 1871,"

Was taken up and read at large a second time, and ordered on file to be considered by sections, and printed.

Senate bill, No. 427, for "An act to repeal section one of an act entitled 'an act to appropriate moneys in aid of the State Board of Agriculture, and county agricultural boards,'"

Was taken up and read at large a second time, and,

On motion of Mr. Hampton,

The bill was recommitted to the committee on agriculture and drainage.

On motion of Mr. Hampton,

The rules were suspended and the following resolution and amendments were taken up for consideration.

*Resolved by the House of Representatives, the Senate concurring herein*, That without regard to politics or party ties, we do most emphatically place our seal of condemnation upon our Representatives in Congress from this State who by their own votes increased their own pay to seven thousand five hundred dollars per annum, and a bonus of five thousand dollars for services already rendered.

Amended by striking out all after the word "Resolved," and insert :

*By the Senate, the House of Representatives concurring herein*, That without regard to politics or party ties we do most emphatically place the seal of our condemnation upon our Senators and Representatives in Congress from this State who by their votes increased their own pay to seven thousand five hundred dollars per annum and a bonus of five thousand dollars for services already rendered, and we further condemn the President of the United States for signing the bill by which they were enabled to realize the increased pay and his own salary increased twenty-five thousand dollars per annum.

Mr. Nicholson offered the following amendment to the amendment, which was adopted :

Amend the amendment by striking out all after the words "by the" in the first line and insert the following : "House of Representatives, the Senate concurring herein, That we emphatically condemn the law passed by the 42d Congress increasing the pay of members of Congress and other officers of the government, and instruct our Senators and respectfully request our Representatives in Congress to use their best endeavors to secure the unconditional repeal of said law ; and we hereby declare our conviction that the Constitution of the United States should be so amended as to prevent any future Congress from increasing the pay of its own members, and we hereby express our earnest request that immediate measures be instituted by Congress to secure this end."

On motion of Mr. Whiting,

The previous question was ordered.

The question being "Shall the amendment as amended be adopted ?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Casey, Castle, Crews, Cummings, Cunningham, Cusey, Dow, Ferrell, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Murphy, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Starne, Steele, Strong, Voris, Ware, Warren, Whiting, Wilcox, Yager, Youngblood, Mr. President—37.

The question being "Shall the resolution as amended be adopted ?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Burke, Casey, Castle, Crews, Cummings, Cunningham, Cusey, Dow, Ferrell, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Murphy, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Starne, Steele, Strong, Voris, Ware, Warren, Whiting, Wilcox, Yager, Youngblood, Mr. President—38.

Mr Upton (by unanimous consent), from the joint committee on revision, introduced Senate bill, No. 441, for "An act to revise the law in relation to county clerks."

Which was ordered to a first reading.

Mr. Upton, from the joint committee on revision, introduced Senate bill, No. 442, for "An act to revise the law in relation to clerks of courts."

Which was ordered to a first reading.

Mr. Upton, from the joint committee on revision, introduced Senate bill, No. 443, for "An act to revise the law in relation to the supreme court."

Which was ordered to a first reading.

Mr. Upton, from the joint committee on revision, introduced Senate bill, No 444, for "An act to revise the law in relation to circuit courts and the superior court of Cook county."

Which was ordered to a first reading.

Mr. Upton, from the joint committee on revision, introduced Senate bill, No. 445, for "An act to revise the law in relation to the criminal court of Cook county."

Which was ordered to a first reading.

Mr. Upton, from the joint committee on revision, introduced Senate bill, No. 446, for "An act to fix the terms of the courts of Cook county."

Which was ordered to a first reading.

Mr. Upton, from the joint committee on revision, introduced Senate bill, No. 447, for "An act to revise the law in relation to county courts."

Which was ordered to a first reading.

Mr. Upton, from the joint committee on revision, introduced Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence."

Which was ordered to a first reading.

Mr. Upton, from the joint committee on revision, introduced Senate bill, No. 449, for "An act to revise the law in relation to permitting animals to run at large."

Which was ordered to a first reading.

Mr. Upton, from the joint committee on revision, introduced Senate bill, No. 450, for "An act to revise the law in relation to dower."

Which was ordered to a first reading.

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed by the House of Representatives to inform the Senate that they have adopted the following resolution, to-wit:

*Resolved by the House of Representatives, the Senate concurring herein, That the committee heretofore appointed to revise the statute laws of this State be and the same is hereby requested to report the various bills by them revised in equal numbers to each House according to the manner agreed upon by such committee, and that said bills be considered from day to day until disposed of.*

In the passage of which I am instructed to ask the concurrence of the Senate.

Mr. Upton, from the joint committee on revision, introduced Senate bill, No. 451, for "An act to revise the law in relation to frauds and perjuries."

Which was ordered to a first reading.

Mr. Upton, from the joint committee on revision, introduced Senate bill, No. 452, for "An act to revise the law in relation to fugitives from justice."

Which was ordered to a first reading.

Mr. Upton, from the joint committee on revision, introduced Senate bill, No. 453, for "An act to revise the law in relation to the General Assembly."

Which was ordered to a first reading.

Mr. Upton, from the joint committee on revision, introduced Senate bill, No. 454, for "An act to revise the law in relation to *habeas corpus*."

Which was ordered to a first reading.

Mr. Upton, from the joint committee on revision, introduced Senate bill, No. 455, for "An act to revise the law in relation to husband and wife."

Which was ordered to a first reading.

Mr. Upton, from the joint committee on revision, introduced Senate bill, No. 456, for "An act to revise the law in relation to injunction."

Which was ordered to a first reading.

Mr. Upton, from the joint committee on revision, introduced Senate bill, No. 457, for "An act to revise the law in relation to jails and jailers."

Which was ordered to a first reading.

Mr. Upton, from the joint committee on revision, introduced Senate bill, No. 458, for "An act to revise the law in relation to licenses."

Which was ordered to a first reading.

Mr. Upton, from the joint committee on revision, introduced Senate bill, No. 459, for "An act to revise the law in relation to mines."

Which was ordered to a first reading.

Mr. Upton, from the joint committee on revision, introduced Senate bill, No. 460, for "An act to revise the law in relation to *ne exeat*."

Which was ordered to a first reading.

Mr. Upton, from the joint committee on revision, introduced Senate bill, No. 461, for "An act to revise the law in relation to official bonds."

Which was ordered to a first reading.

Mr. Upton, from the joint committee on revision, introduced Senate bill, No. 462, for "An act to revise the law in relation to oil inspection."

Which was ordered to a first reading.

Mr. Hinchcliffe introduced Senate bill, No. 463, for "An act to perpetuate the extent and boundary of the village of Prairie Du Pont, and for other purposes."

Which was ordered to a first reading and referred to the committee on judiciary.

Mr. Casey introduced Senate bill, No. 464, for "An act to prevent injury to persons and property on railroads."

Which was ordered to a first reading.

Mr. Steele, from the joint committee on revision, introduced Senate bill, No. 465, for "An act to revise the law in relation to the State militia."

Which was ordered to a first reading.

Mr. Steele, from the joint committee on revision, introduced Senate bill, No. 466, for "An act to revise the law in relation to pardons."

Which was ordered to a first reading.

Mr. Steele, from the joint committee on revision, introduced Senate bill, No. 467, for "An act to revise the law in relation to paupers."

Which was ordered to a first reading.

Mr. Steele, from the joint committee on revision, introduced Senate bill, No. 468, for "An act to revise the law in relation to quo warranto."

Which was ordered to a first reading.

Mr. Steele, from the joint committee on revision, introduced Senate bill, No. 469, for "An act to revise the law in relation to reporter of the supreme court."

Which was ordered to a first reading.

Mr. Steele, from the joint committee on revision, introduced Senate bill, No. 470, for "An act to revise the law in relation to the seat of government."

Which was ordered to a first reading.

Mr. Steele, from the joint committee on revision, introduced Senate bill, No. 471, for "An act to revise the law in relation to slander and libel."

Which was ordered to a first reading.

Mr. Steele, from the joint committee on revision, introduced Senate bill, No. 472, for "An act to revise the law in relation to State contracts."

Which was ordered to a first reading.

Mr. Steele, from the joint committee on revision, introduced Senate bill, No. 473, for "An act to revise the law in relation to sureties."

Which was ordered to a first reading.

Mr. Steele, from the joint committee on revision, introduced Senate bill, No. 474, for "An act to revise the law in relation to county surveyors and the custody of the United States field notes."

Which was ordered to a first reading.

Mr. Steele, from the joint committee on revision, introduced Senate bill, No. 475, for "An act to revise the law in relation to telegraph companies."

Which was ordered to a first reading.

Mr. Steele, from the joint committee on revision, introduced Senate bill, No. 476, for "An act to revise the law in relation to tender."

Which was ordered to a first reading.

Mr. Steele, from the joint committee on revision, introduced Senate bill, No. 477, for "An act to revise the law in relation to toll bridges."

Which was ordered to a first reading.

Mr. Steele, from the joint committee on revision, introduced Senate bill, No. 478, for "An act to revise the law in relation to township insurance companies."

Which was ordered to a first reading.

Mr. Steele, from the joint committee on revision, introduced Senate bill, No. 479, for "An act to revise the law in relation to universities, colleges, academies, and other institutions of learning."

Which was ordered to a first reading.

Mr. Steele, from the joint committee on revision, introduced Senate bill, No. 480, for "An act to revise the law in relation to the vacation of streets, alleys, and public grounds."

Which was ordered to a first reading.

Mr. Steele, from the joint committee on revision, introduced Senate bill, No. 481, for "An act to revise the law in relation to toll roads."

Which was ordered to a first reading.

Mr. Steele, from the joint committee on revision, introduced Senate bill, No. 482, for "An act to revise the law in relation to weights and measures."

Which was ordered to a first reading.

Mr. Steele, from the joint committee on revision, introduced Senate bill, No. 483, for "An act to repeal certain acts therein named."

Which was ordered to a first reading.

On motion of Mr. Steele,

The rules were suspended, and Senate bills on first reading were ordered taken up.

Senate bill, No. 441, for "An act to revise the law in relation to county clerks,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 442, for "An act to revise the law in relation to clerks of courts,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 443, for "An act to revise the law in relation to the supreme court,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 444, for "An act to revise the law in relation to circuit courts and the superior court of Cook county,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 445, for "An act to revise the law in relation to the criminal court of Cook county,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 446, for "An act to fix the terms of the courts of Cook county,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 447, for "An act to revise the law in relation to county courts,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence,"

Was taken up and read at large a first time, when,

On motion of Mr. Crews,

The Senate, at 12:15 o'clock P. M., adjourned until 2:30 o'clock P. M.

#### TWO-THIRTY O'CLOCK, P. M.

The Senate met, pursuant to adjournment.

Mr. Nicholson (by unanimous consent) introduced Senate bill, No. 448, for "An act in relation to surplus funds in the State treasury placed to the credit of counties, townships, cities and towns for railroad purposes, and providing for transferring the same."

Which was ordered to a first reading.

Mr. Crews (by unanimous consent) offered the following resolution; which laid over under the rules:

*Be it resolved by the Senate, the House of Representatives concurring herein, That our Senators in Congress be instructed, and our Representatives be requested to vote for and urge the immediate and unconditional repeal of an act of Congress known as the General Banking Law; that the Secretary of State shall transmit to each of our Senators and Representatives in Congress an authenticated copy of this resolution.*

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the adoption of the following amendment to their resolution relating to the act of Congress increasing their pay to seven thousand five hundred dollars per annum, to-wit:

*Resolved by the House of Representatives, the Senate concurring herein, That we emphatically condemn the law passed by the 42d Congress increasing the pay of members of Congress and other officers of the government, and instruct our Senators and respectfully request our representatives in Congress to use their best endeavors to secure the unconditional repeal of said law; and we hereby declare our conviction that the Constitution of the United States should be so amended as to prevent any future Congress from increasing the pay of its own members; and we hereby express our earnest request that immediate measures be instituted by Congress to secure this end.*

The reading at large the first time of Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," was continued, when, at 4:35 o'clock P. M.,

On motion of Mr. Steele,

The further reading of the same was postponed until to-morrow morning.

Mr. Palmer (by unanimous consent), from the committee on judicial department and apportionment, to which was referred Senate bill, No. 435, for "An act to amend an act entitled 'an act concerning circuit courts, and to fix the times for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook,'" reported the same back with an amendment, and recommended its adoption, and that the bill as amended be passed.

The bill was read at large a second time, and the amendment reported by the committee was adopted, and the bill ordered on file to be considered by sections.

On motion of Mr. Palmer,

The rules were suspended, and the bill discharged from the order of consideration by sections, and ordered engrossed and printed for a third reading.

On motion of Mr. Reynolds,

The rules were suspended, and the following resolution was adopted.

*Resolved*, That so much of the Governor's Message as relates to State Charitable Institutions, be referred to the Committee on State Charitable Institutions; so much thereof as relates to the Reform School be referred to the Committee on Reformatory Institutions; so much thereof as relates to the Penitentiary be referred to the Committee on Penal Institutions; so much thereof as relates to Canal and River Improvements be referred to the Committee on Canals and Rivers; so much thereof as relates to the Revision of the Laws be referred to the Committee on Revision; so much thereof as relates to Horticulture be referred to the Committee on Horticulture; so much thereof as relates to Railroads and to Warehouses, and their regulation by law, be referred to Committees on Railroads and Warehouses, respectively; and so much thereof as relates to the International Exposition of 1876, be referred to the Committee on Miscellany.

Mr. Henry (by unanimous consent) offered the following resolution:

*Resolved*, by the Senate, the House concurring herein, (two-thirds of the members elected to each of the two Houses voting herefor,) That section six, of article nine, of the Constitution of this State be so amended as to read as follows, and that the same be submitted to the electors of this State for adoption or rejection, at the election of members of the General Assembly, in such manner as may be prescribed by law, to-wit:

"The General Assembly shall have no power to release or discharge any county, city, township, town or district whatever, or the inhabitants thereof or the property therein from their or its proportionate share of taxes to be levied for State purposes, nor shall commutation for such taxes be authorized in any form whatever: *Provided*, that the General Assembly may exempt from all taxation property, not to exceed \$1,000 in value, to every person who resides with and is the head of a family in this State, and whose entire property does not exceed at the time of assessment the sum of \$1,000.

Mr. Henry moved to suspend the rules and make the resolution the special order for Wednesday, January 21st, at 11 o'clock A. M.

Which motion was decided in the negative, and the resolution was laid over under the rule.

On motion of Mr. Casey,

The Senate, at 4:50 o'clock P. M., adjourned.

THURSDAY, JANUARY 8, 1874—9:30 O'CLOCK A. M.

The Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Shaw,

The journal of yesterday was being read, when,

On motion of Mr. Reynolds,

The further reading of the same was dispensed with.

Mr. Voris presented a petition relating to the extending of the time for collection of taxes; which was read, and,

On motion of Mr. Voris,

Referred to committee on revenue.

Mr. Youngblood (by unanimous consent) offered the following resolution, which was laid over under the rule:

*Resolved* by the Senate, the House of Representatives concurring herein, That when this General Assembly adjourns on Friday, the 20th day of February next, it stand adjourned *sine die*.

Mr. Starne (by unanimous consent) offered the following resolution, which was laid over under the rule:

*Resolved*, That the Auditor of Public Accounts be requested to furnish the Senate with the following information:

- 1st. The number of miles of railroad constructed under the provisions of the law of 1869.
- 2d. The assessed value of all the property and stock of said companies for the year 1873.
- 3d. The assessed value of all property except railroad property in the counties through which said railroads run for the years 1868 and 1873.

The reading at large a first time of Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence."

Was then proceeded with and concluded, and the bill was ordered to a second reading.

Mr. Murphy (by unanimous consent) introduced Senate bill, No. 485, for "An act authorizing the board of county commissioners, elected in pursuance of article 10, section 6, of the Constitution, to perform the powers and duties heretofore devolving upon the county courts in the transaction of county business in counties not under township organization."

Which was read at large a first time, and ordered to a second reading, and,

On motion of Mr. Murphy,

Referred to the committee on counties and township organization.

Mr. Sheldon (by unanimous consent) offered the following resolution :

WHEREAS, doubts exist as to the constitutionality of the schedule of rates for passengers and freights upon the railroads in this State, as fixed by the Railroad and Warehouse Commissioners, as required by section 8 of an act approved May 2d, 1873, unless such rates be approved or fixed by the General Assembly, as required by section 13, article 11, of the Constitution; therefore,

Resolved, That the Committee on Judiciary of this Senate take the matter above set forth under consideration, and report to the Senate what action, if any, is needed by the General Assembly, as required by the section of the Constitution aforesaid, and that they report by bill, or otherwise, at as early a day as possible.

On motion of Mr. Sheldon,

The rules were suspended, and the resolution was taken up for consideration.

On motion of Mr. Crews,

The previous question was ordered.

And the question being, "Shall the resolution be adopted," it was decided in the affirmative.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 8, 1874.

HON. JOHN EARLY,

*President of the Senate :*

SIR: I have the honor to transmit herewith, to be laid before the Senate, a list of Notaries Public appointed by me during the recess of the Senate, and respectfully request the confirmation of said appointments.

JOHN L. BEVERIDGE,  
*Governor.*

By the Governor:

PHILO J. BEVERIDGE, *Private Sec'y.*

Name.	Place.	County.
Flavius Taseey.....	Pleasantville.....	Cumberland.
Fredrick S. Baird.....	Chicago.....	Cook.
Patrick C. Feeney.....	".....	"
Fraunce L. Cook.....	Parten.....	Ford.
Marvin H. Boyce.....	Chicago.....	Cook
Henry C. Lord.....	".....	"
Jos. A. Montgomery.....	".....	"
Isaac Ogden.....	Ogden.....	Champaign.
Menochem J. Stem.....	Chicago.....	Cook.
A. Lovell Rockwell.....	".....	"
Geo. Willard.....	Hyde Park.....	"
Larkin C. Kean.....	Edwardsville.....	Madison.
Robt. B. Gibbons.....	Princeton.....	Bureau.
Charles A. Dibble.....	Chicago.....	Cook.
Herbert Post.....	Springfield.....	Sangamon.



Name.	Place.	County.
Otto Walsterdorf	Chicago	Cook.
Wm. D. Palmer	"	"
Jonah S. Soovel	"	"
Wilson G. Drury	"	"
Jacob K. Albright	Mount Vernon	Jefferson.
Wooten Harris	Hillsboro	Montgomery.
Charles L. Roberts	Yates City	Knox.
Henry H. Massey	Bine Island	Cook.
Warren P. Curtis	Chicago	"
Anton Boenart	"	"
Gideon V. Bachelle	"	"
John G. Wosley	"	"
Edward Breest	"	"
Edwin Rogers	"	"
Charles D. Knowlton	"	"
Jonas Hutchinson	"	"
Walter Stewart	Timber	Peoria.
Wm. Kelsey Reed	Chicago	Cook.
St. Clair Gunn	Marseilles	La Salle.
John S. Radley	Jewett	Cumberland.
John Gray	Chicago	Cook.
Redmond Sheridan	"	"
Otis B. Glover	"	"
Wm. D. Phile	Shawneetown	Gallatin.
Wm. J. Conkling	Springfield	Sangamon.
Edward C. Leigh	Kane	Greene.
Louis E. Battalio	Chicago	Cook.
Wm. B. Snowhook	"	"
Edward P. Ward	"	"
Wm. P. Renfro	Elsah	Jersey.
Charles T. Lunt	Chicago	Cook.
Charles Woollet	"	"
E. S. Weedon	"	"
Benj. J. H. Timmons	Embarraas	Edgar.
Enoch Howard	Chicago	Cook.
Walford N. Low	"	"
John McCurry	Squaw Grove	DeKalb.
Abel Warren Olds	Suachwine	Putnam.
Frank E. Purple	Peoria	Peoria.
Hugh Alexander, Jr.	Chicago	Cook.
Chester Kinney	"	"
Arthur Schroeder	"	"
Hudson M. Dean	Fredrick	Schuyler.
Jabez C. Crooker	Mendota	LaSalle.
Wm. W. Easley	Virginia	Cass.
C. H. Ten Eycke	Chicago	Cook.
Alfred H. Gordon	"	"
Benj. L. Pease	"	"
James M. Wiley, 2d	Galva	Henry.
Henry Curtis, Jr.	Rock Island	Rock Island.
Wm. A. Lemma	Carbondale	Jackson.
John Lanahan	Amadan	Henry.
Lyman Wilmot	Deerfield	Lake.
Charles B. Thacher	Talula	Menard.
Richard J. Street	Chicago	Cook.
Burns Archer	Marshall	Clark.
James C. Kelley	Hazel Dell	Cumberland.
Wm. H. Shelby	Lemont	Cook.
Nicholas P. Iglehardt	Evanston	"
Nicholas P. Iglehardt	"	"
Benj. G. Lee	"	"
Charles W. Townsend	Manteno	Kankakee.
Lucius A. Trowbridge	Chicago	Cook.
Wm. H. Gerbet	Rockford	Winnebago.
Samuel D. Alfred, Jr.	Perry	Pike.
George H. Kettelle	Cambridge	Henry.
John J. Chase	Metamora	Woodford.
Tracy T. Oviatt	Chicago	Cook.
Michael Ford	"	"
John T. Salter	"	"
Augustus Dubrock	Lake View	"
Andrew J. Brown	Evanston	"
Charles Abell, Jr.	Chicago	"
William Jack	Peoria	Peoria.
Geo. M. Raymond	Litchfield	Montgomery.
James M. Vaillette	Naperville	DuPage.
Edward F. Tillson	Quincy	Adams.
George Nichols	Chicago	Cook.
Milton L. Knight	"	"
Loren Mathusen	"	"
Peter Daggy	"	"

Name.	Place.	County.
Frank H. Batherball	Chicago.	Cook.
Phillip Stein	"	"
Martin Delany	"	"
Andrew Chapin	"	"
Wm. E. Swentzel	"	"
Henry A. Teitze	West Salem	Edgar.
Christopher Lisber	Mascoutah	St. Clair.
R. D. Adams	Fairfield	Wayne.
George Fisher	Calro	Alexander.
Lewis A. Burd	Middlefork	Vermilion.
Wm. H. Johnson	Enfield	White.
John O. Conner	Joliet	Will.
A. G. White	Clinton	De Kalb.
Byron L. Sawyer	Chicago	Cook.
John Tate	Harrisburg	Saline.
William H. Beatty	Lowder	Sangamon.
John M. Cyrns	Quincy	Adams.
Richard M. Atkinson	Pittsfield	Pike.
George W. Henry	Mt. Sterling	Brown.
R. K. Drury	Greenville	Bond.
Dennison D. Stevens	Shabbona	De Kalb.
Benj. F. Betzer	Bloomington	McLean.
Michael Powell	Limestone	Peoria.
John R. Bowers	Butler	Vermilion.
Sidney B. Epeey	Benton	Franklin.
Alvin Salisbury	Chicago	Cook.
J. P. McDowell	Fairbury	Livingston.
Arthur Ryerson	Chicago	Cook.
Richard B. Stone	"	"
George L. Cook	"	"
Frank Scales	"	"
Lewis C. Straight	"	"
Dean S. Efner	Albany	Whiteside.
Hiram Burnett	Mahomet	Champaign.
M. H. Cloud	Parson	Ford.
Wm. B. Dodge	Belvidere	Boone.
Wm. E. Cowper	Chicago	Cook.
H. W. Leman	"	"
Lemuel J. Swift	"	"
S. B. Radebaugh	Urbana	Champaign.
Phillip Cross	Winnebago	Winnebago.
Charles G. Teepie	Rockford	"
Milton S. Elsworth	Lisle	Du Page.
Daniel D. Batdick	St. Charles	Kane.
J. H. Melvin	Walnut	Bureau.
T. W. Hutchinson	Olney	Richland.
Elias W. Jones	Shawneetown	Gallatin.
David McWilliams	Dwight	Livingston.
Michael Collins	Pootone	Will.
Ludius S. Smith	Du Quoin	Perry.
Eudolph E. Schults	Chicago	Cook.
Charles H. Duensing	"	"
J. G. Williamson	"	"
Frank E. Dodge	"	"
P. F. Pettibone	"	"
James L. Woodard	"	"
John F. Nichols	"	"
Adolph Moses	"	"
Isaac R. Hitt	"	"
James J. McGrath	"	"
J. Clinton Caldwell	"	"
Fredrick Ullman	"	"
Charles J. Hotchkiss	"	"
Max Frohlich	"	"
David M. Lord	"	"
M. H. Dayley	"	"
James L. Gibbs	"	"
James Muirhead	"	"
A. T. Ewing	"	"
James M. Wetherell	Englewood	"
George W. Bishop	Chicago	"
Charles C. Pomroy	"	"
Fredrick B. Butler	"	"
Oliver Olson	Rock Island	Rock Island.
Herman Eechenberg	Chicago	Cook.
Emil Eggman	East St. Louis	St. Clair.
Henry L. Schoelson	Chicago	Cook.
Charles P. Knisapel	Belleville	St. Clair.
Albert B. Clark	Chicago	Cook.
J. Wm. Eechenberg	"	"
Samuel L. Dwight	Centralla	Marion.

Name.	Place.	County.
John P. Lamb	Arthur	Moultrie.
Fred. W. Becker	Chicago.	Cook.
Adelbert A. Lathrop	"	"
Thomas M. Hoyne	"	"
Prince A. Sawyer	Quincy.	Adams.
Henry C. Moray	Chicago.	Cook.
Benj. F. Payne	Drummer	Ford.
David T. Clark	Sumner	Lawrence.
Geo. C. Merrill	Chicago.	Cook.
Zera Munsell	Chenoa	McLean.
Ernest Pruisling	Chicago.	Cook.
Newton C. King	Lewiston	Fulton.
Henry W. Booth	Chicago.	Cook.
George G. Street	"	"
M. O. Clark	Momence.	Kankakee.
Enoch C. Hall	Onarga	Iroquoia.
Edwin Wakefield	Bracefield.	Grundy.
Charles W. Constantine	Chicago.	Cook.
Ruthven W. Pike	"	"
Samuel E. Dale	"	"
Geo. H. Sitts	"	"
Z. S. Swan	Champaign.	Champaign.
Charles Lodig	Chicago.	Cook.
Sam'l M. Booth	"	"
Wm. O. Hipwell	"	"
Bartley Scarlett	Moweaqua	Shelby.
Theodore Schurts	Chicago.	Cook.
Peter Swance	"	"
E. Eugene Caldwell	"	"
Ed. T. Gardner	"	"
Walter T. C. Brown	"	"
James M. Taylor	Taylorville	Christian.
Sam'l J. Hays	Button	Vermilion.
Martin V. Allen	Shabbona	DeKalb.
Elias Underwood	Portland	Whiteside.
Wm. H. Odlin	Byron	Ogle.
Allen S. Hollister	Dundee	Kane.
Hohns Hodge	Evanston	Cook.
John F. Donovan	Kinmundy	Marion.
Henry T. Drain	Lynden	Whiteside.
Harlan P. Bosworth	Hyde Park	Cook.
Geo. Birkhoff, Jr	Chicago.	Cook.
F. M. Chapman	"	"
Howard B. Hoge	Evanston	"
Fredrick S. Goddes	Amboy	Lee.
Wm. A. Cole	Pekin.	Tazewell.
B. F. Cunningham	Flora	Clay.
John J. McClellan	Chicago.	Cook.
James K. Wilson	"	"
Lucian B. Colby	"	"
Lotus S. Pierce	Hyde Park	"
Algernon B. Baldwin	Chicago.	"
John Wagner	"	"
Volney Hickox	Springfield	Sangamon.
Stephen F. Brown	Chicago.	Cook.
John W. Panlington	Aurora	Kane.
John Cuthbertson	Chicago.	Cook.
H. V. Smith	"	"
Rudolph Sylvan	"	"
Andrew J. Marble	"	"
John A. Owen	"	"
Gustavus A. Marsh	Galesburg.	Knox.
C. D. Hoblit	Canton	Fulton.
Charles J. Beatty	Chicago.	Cook.
Jonn C. Stewart	Galesburg	Knox.
James H. Sedgewick	Sandwich	DeKalb.
Frank J. Weidenger	Chicago.	Cook.
Andrew Porter	Livingston	Moultrie.
Kendrick Hughes	Chicago.	Cook.
Rufus C. Hall	"	"
Robert L. Lyons	"	"
Luther L. Hiatt	Wheaton	DuPage.
Samuel Chase Cole	Neoga	Cumberland.
John Field	Lawrence.	Lawrence.
Charles W. Wolverton	Camargo	Douglas.
David A. Watts	Chauncy	Lawrence.
Thomas W. Adams	Chicago.	Cook.
Rudolph Schlosser	"	"
J. W. Chaple	Marshall	LaSalle.
D. W. Greene	Barry	Pike.

Name.	Place.	County.
Edmund E. Ryan.....	Chicago	Cook.
T. F. Tinsley.....	Osaage	Franklin.
Edward H. Griggs.....	Rockford	Winnebago.
Nelson E. Swartwort.....	Chicago	Cook.
Geo. E. Swingscoe.....	"	"
Edmund W. Burke.....	"	"
H. N. Keightley.....	Knoxville	Knox.
Henry Tightna.....	Chicago	Cook.
James Frake.....	"	"
Thomas D. Bradford.....	Elgin	Kane.
Lawrance J. J. Nissen.....	Chicago	Cook.
Fountaine E. Albright.....	Murphysboro	Jackson.
William R. Read.....	Shelbyville.	Shelby.
Lloyd G. Gage.....	Evanston	Cook.
Frank S. Balch.....	Chicago	"
John Madden.....	"	"
Edward A. Fisher.....	"	"
Jacob Schoenwald.....	"	"
John H. S. Quirek.....	Proviso..	"
Joseph Cresswell.....	Chicago.	"
Fordyce G. Bradley.....	"	"
James T. McKelligotte.....	Lake	"
Joseph M. Bownser.....	Chicago.	"
Phillip A. Brown.....	"	"
Michael Feltzenthal.....	"	"
Samuel Baird.....	"	"
John Watson.....	"	"
Ernst Knoebelordf.....	"	"
Charles H. Oliver.....	Virginia.	Cass.
Robt. M. Morrison.....	Mt. Vernon	Jefferson.
James Furguson.....	Rockford.	Winnebago.
Jason C. Ayers.....	Dixon.....	Lee.
Edward W. Lewis.....	Somonauk.....	DeKalb.
James R. Ashley.....	Plainfield.	Will.
Jay Baker.....	Streeter	LaSalle.
John Lasa.....	Galesburg.	Knox.
George D. Ladd.....	Peru.....	LaSalle.
D. F. Norton.....	Shawneetown.	Gallatin.
Wm. H. H. Woods.....	Dix.....	Ford.
Jackson Grimshaw.....	Quincy.....	Adams.
John Ritchie.....	Chicago.	Cook.
Henry J. Christoph.....	"	"
C. A. Phillips.....	Danby.....	DuPage.
Charles F. Heminway.....	Moline.....	Rock Island.
Michael C. Quinn.....	Peoria.....	Peoria.
Geo. A. Philbrick.....	Cicero.....	Cook.
Henry Seifried.....	Chicago.	"
Chas. L. Allen.....	"	"
Charles D. Arnold.....	"	"
William C. Whitlock.....	Marshall.....	Clark.
James R. Ferson.....	St. Charles	Kane.
John Atwood.....	Alton.....	Madison.
Thos. W. Anderson.....	Windsor.....	Shelby.
E. T. Moore.....	Crooked Creek	Jasper.
James M. Prickett.....	Carbondale.	Jackson.
Wm. H. Fowle.....	Bloomington.	McLean.
Peter Holman.....	York.....	Carroll.
Theodore F. Kinkhardt.....	Freedom.....	Monroe.
Ira Brown.....	Milford.....	Iroquoia.
Jas. C. Luckey.....	Buffalo.....	Ogle.
James Phillips.....	Algonquin.....	McHenry.
Joshua S. Peers.....	Collinsville.	Madison.
Alexander Lancaster.....	Ramsey.....	Fayette.
Forrest F. Cook.....	Galesburg	Knox.
Walter Stager.....	Sterling.....	Whiteside.
Geo. L. Riess.....	Waterloo.....	Monroe.
James B. Turner.....	Mt. Vernon.	Jefferson.
David E. Straight.....	Fairbury.....	Livingston.
Geo. C. Rider.....	Pekin.....	Tazewell.
John F. McCartney.....	Metropolis.	Massac.
Nathan B. Huff.....	Sumner.....	Lawrence.
Hiram G. Torrence.....	Dundee.....	Kane.
Wm. Weinert.....	Harward.....	McHenry.
J. P. Cheever.....	"	"
Sherwood Dixon.....	Dixon.....	Lee.
Sanford K. Marston.....	Onarga.....	Iroquoia.
Geo. L. Spear.....	Bement.....	Platt.
Peter C. Keeler.....	Quincy.....	Adams.
Henry C. Hyde.....	Freeport.....	Stephenson.
Jonas J. Olson.....	Galva.....	Henry.

Name.	Place.	County.
E. R. Davis.....	East St. Louis.	St. Clair.
Edward H. Beebe.....	Highland Park	Lake.
James O. McClellan.....	Batavia.	Kane.
Geo. H. Jackson.....	Jerseyville	Jersey.
John R. Parker.....	Chicago.	Cook.
J. Kearney Rodgers.....	"	"
John G. Nicholson.....	"	"
Louis Merkle.....	"	"
Wm. O. Robinson.....	"	"
John Hutchinson.....	"	"
Bernhard L. Ross.....	"	"
Giles B. Kintland.....	"	"
Charles S. Burdick.....	"	"
J. B. Storey.....	"	"
Bruno Knauner.....	"	"
Chas. P. Hallenberg.....	"	"
Francis Mayo.....	"	"
Francis J. Reid.....	"	"
Chas. O'Malley.....	"	"
Alonzo Barnes.....	Prairie City.	McDonough.
Victor H. Wettig.....	East St. Louis.	St. Clair.
Justus E. Wheeler.....	Chicago.	Cook.
L. J. J. Nienenkamp.....	"	"
John M. Goodell.....	Somonank	DeKalb.
John L. Ledman.....	Chicago.	Cook.
Frederick Bechtold.....	Belleville	St. Clair.
Wm. Marsh.....	Quincy.	Adams.
Charles D. Cole.....	Chicago.	Cook.
Chas. T. Eckley.....	"	"
James F. Gyles.....	"	"
Elijah W. Blaisdell.....	Rockford	Winnebago.
Chas. T. Greene.....	Freeport.	Stephenson.
Sylvanus Fee.....	Philo.	Champaign.
Augustus A. Osgood.....	Joliet.	Will.
Frank Thomas.....	Wyoming.	Stark.
Benj. R. DeYoung.....	Chicago.	Cook.
Josiah H. Bissell.....	"	"
Noel Braseau.....	Kankakee	Kankakee.
Rolandus B. Barnett.....	Knight's Prairie.	Hamilton.
Edward P. Kirby.....	Jacksonville.	Morgan.
R. P. Johnston.....	Springfield.	Sangamon.
Richmond Wolcott.....	"	"
Albert L. Pearcell.....	Hinsdale.	DuPage.
James A. Walker.....	Mason City.	Mason.
Francis M. Miller.....	Roanoke	Woodford.
John L. Davis.....	Chicago.	Cook.
A. Y. Frogden.....	Paris.	Edgar.
John A. Sweet.....	Chicago.	Cook.
Edgar L. Jayne.....	"	"
Stacey W. Osgood.....	"	"
James M. Dunham.....	Ashley	Washington.
Albert Barnes.....	Decatur	Macon.
Vincent M. Gerwell.....	Ipava.	Fulton.
John O'Neill.....	Chicago.	Cook.
James Springer.....	"	"
Nicholas Noenger.....	"	"
Stewart Clark.....	"	"
Menzo B. Boyce.....	Belvidere	Boone.
Oscar P. Brounley.....	Quincy	Adams.
Wm. E. Parker.....	Pekin.	Tazewell.
Francis C. Day.....	Chicago.	Cook.
Isaac Weaver.....	Prairie City.	McDonough.
Spencer S. Cono.....	Gilman.	Iroquoia.
Gottfried Smith.....	Peoria.	Peoria.
Wm. V. Jacobs.....	Chicago.	Cook.
Frank H. Lester.....	"	"
Francis M. Ives.....	"	"
John Nelson.....	"	"
Joseph A. Sleeper.....	"	"
Thomas Jewell.....	"	"
Lorenze Blahink.....	"	"
Frederick F. Day.....	"	"
Robert F. Winlow.....	"	"
E. B. Lathrop.....	"	"
Xavier L. Ouls.....	"	"
Henry N. Pearsons.....	"	"
Felix J. Schweisthal.....	"	"
D. W. Mitchell.....	"	"
Benjamin Haskell.....	"	"
Chas. W. Pierce.....	"	"
Thos. H. Carter.....	Beardstown.	Cass.

Name.	Place.	County.
John D. Moody.....	Inka.....	Marion.
James M. Hasford.....	Geneseo.....	Henry.
George F. Hecker.....	Red Bud.....	Randolph.
John Stœhr.....		
Louis P. Kraft.....	Belleville.....	St. Clair.
W. R. Timmons.....	Catlin.....	Vermilion.
Daniel Y. Lowd.....	Mendota.....	LaSalle.
James M. Madden.....	Piper City.....	Ford.
Lucius D. Turner, Jr.....	Belleville.....	St. Clair.
James Cobb.....	Ash Grove.....	Iroquois.
James R. Johnston.....	Rock Island.....	Rock Island.
George A. Dice.....	Ridge Farm.....	Vermilion.
Thos. J. L. Remington.....	Rockford.....	Winnebago.
Thos. J. Sheehan.....	Galena.....	Jo Davies.
Henry Seiter.....	Lebanon.....	St. Clair.
James N. Brown.....	Jacksonville.....	Morgan.
Mark Bangs.....	Lacon.....	Marshall.
F. W. Tourteille.....	Chicago.....	Cook.
L. S. Baker.....	Joliet.....	Will.
James T. R. Baseman.....	Carmi.....	White.
Albert J. Perry.....	Galesburg.....	Knox.
Chas. H. Foster.....	Chicago.....	Cook.
Robt. S. Hogden.....	Charleston.....	Coles.
Wm. M. Luff.....	Chicago.....	Cook.
Thos. H. Bush.....		
Fred. M. Husted.....	Galva.....	Henry.
George A. Flieman.....	Chicago.....	Cook.
Abraham L. Friend.....		
John M. Hayes.....	".....	"
Chas. K. Offield.....	".....	"
J. W. Fay.....	".....	"
W. A. Schonfeld.....	".....	"
Paul Saboleski.....	".....	"
Ezra D. McMasters.....	Elkhart City.....	Logan.
Clarence P. Cummings.....	Bushnell.....	McDonough.
James N. Reynolds.....	Woodstock.....	McHenry.
J. A. Parrish.....		
George B. Hudson.....	Lincoln.....	Logan.
Chas. H. Macconeler.....	Joliet.....	Will.
Robert Allen.....	Springfield.....	Sangamon.
Henry G. Carter.....	Mound City.....	Pulaski.
Duncan T. McIntyre.....	Mattoon.....	Coles.
Levi C. Hull.....	Waynesville.....	DeWitt.
Wm. S. Myers.....	Lockport.....	Will.
Phil. Mitchell.....	Rock Island.....	Rock Island.
John H. Carpenter.....	Chicago.....	Cook.
Ephraim Blatchford.....	Mt. Erie.....	Wayne.
Henry Burdick.....	Chicago.....	Cook.
Haro J. Caster.....	".....	"
Charles Prebating.....	".....	"
Albert Durham.....	".....	"
Wm. H. Govert.....	Quincy.....	Adams.
Wm. C. Norcross.....	Monmouth.....	Warren.
George C. Fry.....	Chicago.....	Cook.
Solomon F. Flint.....	Galesburg.....	Knox.
J. W. Emery.....	Quincy.....	Adams.
L. E. Snow.....	Galesburg.....	Knox.
Henry H. Evarta.....	Deerfield.....	Lake.
Josiah E. Kimball.....	Chicago.....	Cook.
Stephen K. Carter.....	Clinton.....	DeWitt.
Wm. H. Jones.....	Edwardsville.....	Madison.
Geo. W. Hamilton.....	Carlinville.....	Macoupin.
Benj. Lombard, Jr.....	Galesburg.....	Knox.
Thos. J. Smith.....	Champaign.....	Champaign.
Wm. S. Kellogg.....	Pekin.....	Tazewell.
Elbridge Hanescey.....	Chicago.....	Cook.
Geo. M. Vial.....	Lyons.....	"
Henry J. Pest.....	Chicago.....	"
Edward Walker.....	".....	"
Meyers A. Decker.....	".....	"
Augus M. L. McBane.....	Shawneetown.....	Gallatin.
Solomon F. Lewis.....	Clinton.....	DeWitt.
C. W. Staehle.....	Joliet.....	Will.
Noah Divilbiss.....	Springfield.....	Sangamon.
Asbury C. Jones.....	Danville.....	Vermilion.
Isaac Mieter.....	Nashville.....	Washington.
Benj. D. Lucas.....	Bloomington.....	McLean.
W. O. Goodman.....	Chicago.....	Cook.
John B. Taylor.....	".....	"
Henry T. Steele.....	".....	"

Name.	Place.	County.
W. A. Morey.....	Chicago.....	Cook.....
Daniel M. King.....	".....	".....
Henry S. Osborne.....	".....	".....
Peter J. Wolfe.....	".....	".....
Jacob L. Wallach.....	".....	".....
John J. Glenn.....	Monmouth.....	Warren.....
Nathan W. Wooster.....	Boone.....	Boone.....
Ebenezer B. Leonard.....	Beardstown.....	Cass.....
John W. Boyer.....	Arcola.....	Douglas.....
Julius Stephens.....	Edgar.....	Edgar.....
Joseph W. Boyer.....	Vermilion.....	".....
Geo. W. Davis.....	Carrollton.....	Greene.....
Jason C. Lewis.....	Walkerville.....	".....
Wm. A. Symonds.....	Carthage.....	Hancock.....
Michael F. Shortscope.....	Grand Tower.....	Jackson.....
H. H. Roadifer.....	Chebanse.....	Kankakee.....
Lucius J. Phelps.....	Galesburg.....	Knox.....
Edward P. Harris.....	Highland Park.....	Lake.....
Homer Cook.....	Waukegan.....	".....
Edward L. Upton.....	Waukegan.....	".....
Edward I. Wall.....	Streator.....	LaSalle.....
Cyrus A. Leland.....	Ottawa.....	".....
Orville B. Gorin.....	Decatur.....	Macon.....
Joseph C. Howell.....	Carlinville.....	Macoupin.....
Geo. L. Doughty.....	Bushnell.....	McDonough.....
J. W. Straight.....	Bloomington.....	McLean.....
Wm. Van Voris.....	Saybrook.....	".....
Henry L. Karr.....	Bloomington.....	".....
Amos Miller.....	Hillsboro.....	Montgomery.....
Alfred M. Smyser.....	Sullivan.....	Moultrie.....
M. H. Underwood.....	Byron.....	Ogle.....
Wm. Saunders.....	Cerro Gordo.....	Platt.....
John Fred. Breidecker.....	Centreville.....	St. Clair.....
George Quinn.....	Smithton.....	".....
Frank Perigee.....	O'Fallen.....	".....
Henry Ruth.....	Summerfield.....	".....
Peter J. Dreher.....	Lenzburg.....	".....
William Kraft.....	New Athens.....	".....
Robt. T. Wilkinson.....	Friendville.....	Wabash.....
Worcester A. Dickerman.....	Rockford.....	Winnebago.....
Charles E. Pope.....	Hyde Park.....	Cook.....
Orin Turner.....	Englewood.....	".....
Fred. A. Smith.....	Cicero.....	".....
Alfred S. Porter.....	Chicago.....	".....
Milford D. Buchanan.....	".....	".....
B. W. Phillips.....	".....	".....
A. V. Brown.....	".....	".....
Louis J. Hiltz.....	Calumet.....	".....
Franklin H. Watriss.....	Chicago.....	".....
Daniel Goodwin, Jr.....	".....	".....
J. Lewis Lee.....	".....	".....
William H. Moore.....	".....	".....
John A. Corwin.....	".....	".....
Nelson G. Franklin.....	".....	".....
Robert D. Ingersoll.....	".....	".....
Wm. R. Henderson.....	".....	".....
Edwin F. Abbott.....	".....	".....
Nelson H. Merrill.....	".....	".....
O. George Ide.....	".....	".....
Van Brownell.....	".....	".....
James H. Hinkley.....	".....	".....
Farlin Q. Ball.....	".....	".....
Eugene Scates.....	".....	".....
John D. Klug.....	".....	".....
Robt. Gibson.....	".....	".....
George W. Reed.....	".....	".....
John K. McAllister.....	".....	".....
John Woodbridge, Jr.....	".....	".....
Robt. A. Childs.....	".....	".....
L. N. Sawyer.....	".....	".....
J. S. Bloomington.....	".....	".....
Wm. E. Roach.....	".....	".....
George F. Hoffman.....	".....	".....
Amos W. Martin.....	".....	".....
James M. Hill.....	".....	".....
David McDonald.....	".....	".....
Joseph Reed, Jr.....	".....	".....
Charles Drawdorff.....	".....	".....
Wm. I. Terpaney.....	".....	".....
Lorin C. Collins, Jr.....	".....	".....
Clarence R. Park.....	Norwood Park.....	".....
	Evanston.....	".....

Name.	Place.	County.
John F. Nolte.....	Hardin.....	Calhoun.
Gustavus A. Stoddard.....	Savanna.....	Carroll.
Jennings G. Mathis.....	Lancaster.....	Cass.
Louis C. Chandler.....	Chandlerville.....	Champaigne.
Francis M. Wright.....	Urbana.....	Clay.
Randolph Smith.....	Flora.....	Clay.
Woodruff Blackledge.....	Clay City.....	Coles.
Rufus C. Carpenter.....	Mattoon.....	DeKalb.
Westel W. Sedgewick.....	Sandwich.....	Douglas.
Stephen B. Stinson.....	.....	DuPage.
Milton J. Welford.....	Aroola.....	Greene.
James J. Hunt.....	Naperville.....	Hancock.
Joseph S. Carr.....	Kane.....	Henderson.
S. W. King.....	La Harpe.....	Jackson.
Henry D. Vorhees.....	Raritan.....	Jersey.
Wm. S. Murphy.....	Murphysboro.....	Kankakee.
Benj. Wendding.....	Jerseyville.....	.....
Harly J. Ballard.....	Momence.....	Kendall.
John Durham.....	Kankakee.....	LaSalle.
Lambert C. Carlow.....	Millington.....	.....
John F. Naah.....	Ottawa.....	Livingston.
F. A. Sherwood.....	.....	.....
Wm. H. Bradbury.....	Dwight.....	.....
Samuel W. Strong.....	.....	.....
James P. Moore.....	Decatur.....	Macon.
Allan H. Newlin.....	New Douglas.....	Madison.
Grampler A. Engleman.....	Hamel.....	.....
J. A. Beach.....	Bunker Hill.....	Maconpin.
Edward McMahon.....	Metropolis.....	Massac.
Chas. V. Chandler.....	Macomb.....	McDonough.
Samuel W. Brown.....	Hebron.....	McHenry.
Richard E. Moreland.....	Belleflower.....	McLean.
A. F. Dickinson.....	Normal.....	.....
Ambrose Horner.....	Waterloo.....	Monroe.
Chas. M. Haller.....	Foreston.....	Ogle.
David Hallis.....	Spring Creek.....	Pike.
Scott Wike.....	Pittsfield.....	.....
N. E. D. Huggins.....	Peoria.....	Peoria.
James J. Parks.....	Rock Island.....	Rock Island.
Elmore W. Hurst.....	.....	.....
R. J. Harmer.....	Chester.....	Randolph.
James M. Hamill.....	Belleville.....	St. Clair.
Alonzo S. Wilderman.....	.....	.....
Ira G. Masher.....	Meamouth.....	Warren.
Josiah P. Hibbard.....	Elk Horn.....	Washington.
B. B. Hovey.....	Cherry Valley.....	Winnebago.
Silas Z. Landis.....	Mt. Carmel.....	Wabash.
Lorenzo D. Craine.....	Cartersville.....	Williamson.
Geoffrey O'Connell.....	Joliet.....	Will.
Stephen Dowse.....	Lockport.....	.....
John A. Barnes.....	Decatur.....	Macon.
Andrew Perigree.....	Rutland.....	Kane.
W. C. Simpson.....	Minonk.....	Woodford.
Hiram Bigelow.....	Galva.....	Henry.
L. A. McLean.....	Urbana.....	Champaign.
Wallace W. Day.....	Rushville.....	Schnyder.
Alexander M. Sherman.....	Dahlgreen.....	Hamilton.
Benj. F. Gray.....	Ganest.....	Kankakee.
James W. Hudson.....	Ashley.....	Washington.
C. A. Hoerner.....	Villa Ridge.....	Pulaski.
C. M. Anthony.....	Washington.....	Tazewell.
Olga Whittaker.....	Toulon.....	Stark.
Miles A. Fuller.....	.....	.....
John C. White.....	Effingham.....	Effingham.
Albert N. Sprague.....	Eden.....	Randolph.
Wm. D. Crowell.....	Jacksonville.....	Morgan.
David Walker.....	Ottawa.....	LaSalle.
Joshua Teague.....	Webbs Prairie.....	Franklin.
John H. Coles.....	Gardner.....	Grundy.
A. G. Gregory.....	Bement.....	Platt.
James H. Millikan.....	Cumberland.....	Clark.
Samuel B. Gilmore.....	Effingham.....	Effingham.
Hosea L. Woodard.....	Marengo.....	Mollenry.
Stephen Arnold.....	Mendota.....	LaSalle.
Peter Wilber.....	Danville.....	Vermillion.
John B. Miller.....	Deer Plain.....	Calhoun.
Delas Van Deusen.....	Litchfield.....	Montgomery.
John R. Howlett.....	Lanark.....	Carroll.
Louis G. Weisage.....	Belleville.....	St. Clair.
E. S. Scudder.....	New Boston.....	Mercer.
Jacob Müller, Jr.....	Centerville.....	St. Clair.
Riley J. Tatman.....	Manassfield.....	Platt.



Name.	Place.	County.
George W. Akers.....	Enfield.....	White.
J. B. Crane.....	Chicago.....	Cook.
Owen Donlevy.....	Peoria.....	Peoria.
J. A. Combs.....	Mulberry Grove.....	Bond.
Thomas C. Watkins.....	Murphysboro.....	Jackson.
Jonathan B. Lane.....	Fillmore.....	Montgomery.
J. Marsh Gregg.....	Harriaburg.....	Saline.
Joseph A. Phelps.....	Mason.....	Mason.
Hiram B. Decius.....	Majority Point.....	Cumberland.
Charles Armstrong.....	Harvard.....	McHenry.
Henry Barthel.....	Freeburg.....	St. Clair.
Edward Prince.....	Quincy.....	Adams.
William Seibert.....	Paris.....	Edgar.
Eugene M. Hartman.....	Chicago.....	Cook.
James W. Johnson.....	".....	"
Geo. Chandler.....	".....	"
Geo. A. Hartman.....	".....	"
Thos. H. Gault.....	".....	"
Peter Cunningham.....	".....	"
John St. C. Cleveland.....	".....	"
Geo. T. Graham.....	".....	"
Norman Robinson.....	".....	"
Morris A. Rosenheim.....	".....	"
Hiram G. Morse.....	".....	"
Trollius H. Tyndale.....	".....	"
Thos. C. Hoag.....	".....	"
Joseph F. Culver.....	Pontiac.....	Livingston.
E. A. Wallace.....	Havana.....	Mason.
Jacob R. Shiphard.....	York.....	DuPage.
John Pollock.....	Faxton.....	Ford.
John Lewis.....	Chicago.....	Cook.
Everett F. Dutton.....	Sycamore.....	DeKalb.

**STATE OF ILLINOIS, EXECUTIVE DEPARTMENT**  
**SPRINGFIELD, January 8, 1874.**

*To the Honorable the Senate :*

I have the honor to lay before the Senate the Annual Report of the Secretary of State on Public Printing, made to the Governor in compliance with section 24 of "An act entitled an act to provide for and regulate the execution of Public Printing," in force July 1, 1872.

JOHN L. BEVERIDGE,  
*Governor.*

By the Governor:

PHILO J. BEVERIDGE, *Private Sec'y.*

**STATE OF ILLINOIS, SECRETARY'S OFFICE,**  
**SPRINGFIELD, January 6, 1874.**

*To His Excellency JOHN L. BEVERIDGE, Governor :*

SIR: In accordance with the instructions contained in section 24. of "An act to provide for and regulate the public printing," in force July 1st, 1872, I have the honor to present the following report. The present contract for the State printing was awarded to Messrs. Wm. H. Bailhache and E. L. Merritt on the 7th day of September, 1872, pursuant to law, said contract to take effect on the first Monday of November of that year, which was the fourth day of that month. Said award is in the words and figures as follows, to-wit:

STATE OF ILLINOIS, SPRINGFIELD, *September 7, 1872.*

In accordance with the law and an advertisement dated July 16, 1872, the Commissioners of Public Printing met at the office of the Secretary of State on Monday, the 26th day of August, A. D. 1872, for the purpose of opening and considering the proposals for the public printing for two years from the first Monday in November next. One bid only having been filed, the same was opened, when it was found that said proposal was signed by W. H. Bailhache and E. L. Merritt, both of Springfield, Ill., at the following prices, to-wit:

*First Class*—For composition per 1,000 ems: plain composition, 60 cents; figure work, 90 cents; rule and figure work, \$1.20. Press work, per 100 impressions, 25 cts.

*Second Class*—For composition per 1,000 ems: plain composition, 60 cents; figure work, 90 cents; rule and figure work, \$1.20. Press work, per 100 impressions, 25 cents.

*Third Class*—For composition per 1,000 ems: plain composition, 60 cents; figure work, 90 cents; rule and figure work, \$1.20. Press work, per 100 impressions, 25 cents.

*Fourth Class*—For composition per 1,000 ems: plain composition, 60 cents; figure work, 90 cents; rule and figure work, \$1.20. Press work, per 100 impressions, 25 cents.

*Fifth Class*—For composition per 1,000 ems: plain composition, 60 cents; figure work, 90 cents; rule and figure work, \$1.20. Press work, per 25 impressions, 25 cents.

No other bids having been received, and one of the Commissioners being absent, namely, Hon. E. N. Bates, State Treasurer, the Commissioners adjourned their meeting, without awarding the contracts until Tuesday, the 3d day of September, 1872. On Tuesday, September 3d, 1872, the Auditor of Public Accounts being absent, the Commissioners of Printing further postponed the awarding of the contracts until Saturday, September 7th, 1872, on which day they met, and awarded the said contracts for the several classes of public printing, for two years from the first Monday of November next, to the said bidders, W. H. Bailhache and E. L. Merritt, at the prices for the several classes as above specified in their said proposal.

[Signed]

EDWARD RUMMEL, *Secretary of State,*  
C. E. LIPPINCOTT, *Auditor P. A.,*  
ERASTUS N. BATES, *State Treasurer,*  
*Commissioners of Public Printing.*

Under the provisions of the said award and contract the State printers have performed their duties in a satisfactory manner. As there has been no final settlement with the State Printers, and will not be until the term of their contract expires, the exact cost of work cannot be stated, but upon careful estimates of the work done from the commencement of the present contract, and until the 30th day of November, 1873, inclusive, I have to report that:

The cost for all classes of printing for the State under the contract will amount to .....	\$58,063 58
Cost of printing paper .....	19,798 56
Extra work, and paper for blanks, circulars, commissions and election registers .....	11,141 32

Total estimated cost from November 4, 1872, to November 30, 1873 .....

\$89,003 46

This aggregate is made up for work done and paper furnished for the following departments and objects, viz:

For printing reports and messages, and for bills introduced in both branches of the General Assembly .....	\$41,372 82
Extra paper for covers, etc .....	1,041 19
For printing blanks for use of both branches of the General Assembly .....	1,019 97
For printing blanks for Governor's office .....	11 80
For printing blanks for office of Secretary of State .....	1,923 90
For paper for blanks, etc., for General Assembly, Governor, Treasurer, Secretary of State, Attorney-General, and State Board of Equalization .....	604 05
For printing blanks for office of Auditor of Public Accounts and Insurance Department .....	2,165 92
For paper, etc., for blanks, etc., for Auditor's office and Insurance Department .....	796 70
For printing blanks for office of State Treasurer .....	47 80
For printing blanks for office of Superintendent of Public Instruction .....	1,210 32
For paper, etc., for blanks for office of Superintendent of Public Instruction .....	288 90
For printing blanks, etc., for office of Attorney-General .....	274 95
For printing blanks, etc., for use of State Board of Equalization .....	113 30
For printing election registers .....	9,922 80
For paper for election registers .....	3,792 88
For ruling, stitching and packing same .....	4,360 25
For printing paper for laws passed, and for use of the General Assembly .....	19,798 56
For printing paper for Railroad and Warehouse Commissioners .....	257 35

Total .....

\$89,003 46

It will be observed by your Excellency that the item of cost for election registers is one of some magnitude, amounting in the aggregate to the large sum of \$18,073 93. It is a question in my mind if this expense could not be saved to the State, either by fixing a maximum price for the cost of these documents, or modifying or repealing the law entirely. Whether the law, as now in force and carried out, is of enough value to the State, or is a protection to the *bona fide* electors of this commonwealth, to outweigh the expense to the people, is a matter of grave doubt in my mind; and, feeling that the money so expended should be saved to the State if possible, I have taken the liberty to call the attention of your Excellency to what, in my humble opinion, is a matter of considerable importance.

On the 2d day of May, 1873, during the first session of the 28th General Assembly, the following resolution was adopted :

WHEREAS, the enactments of the 28th General Assembly have made great changes in our Statute laws, and it is desirable that the public officers throughout the State be made acquainted therewith at the earliest possible moment; therefore, be it

*Resolved by the House of Representatives, the Senate concurring herein,* That 6,000 copies of the laws of this session of the 28th General Assembly be published, in the usual manner and style of binding, and in lieu of the number required by law to be made, for immediate distribution, and that the Secretary of State be, and he is hereby directed to forward without delay, as soon as published, one copy thereof to the clerks of each of the Circuit and County Courts of the State, and twenty-two copies thereof to each member of the General Assembly, provided the same can be done within thirty days after the adjournment of this session of the General Assembly, the Secretary to pay the cost of distributing said laws, and of copying the same for the printer, at not exceeding four cents per hundred words, out of the contingent fund of his office.

In accordance with said resolution I have distributed the copies as directed, the number so distributed amounting to 4,488. There were still left in my possession 1,512 bound copies of the laws for distribution, for which there was no definite instruction, and believing it was the intention of the General Assembly that they should be distributed among the people, I took the responsibility to set aside enough copies for the use of the members of the 28th General Assembly at its adjourned session, and then distributed the balance as follows, viz: One copy to each Judge of the Supreme, Circuit and County Courts in the State; one copy to each college library in the State; one copy to every public library in the State, so far as known to me; one copy to each newspaper in the State, so far as I was able to ascertain; and one copy to each State and Territory in the United States.

In my opinion, it would have been wise if the aforesaid resolution of instruction to me had provided for the printing of a number sufficient to have allowed for the distribution of a copy not only to members of the General Assembly and others, but also to each Justice of the Peace, Police Magistrate, and judicial officer in the State; but (after complying with the instructions of the resolution) the number of copies left being insufficient, I could not, without "unjust discrimination," send to any of the county clerks for distribution to such officers. I therefore determined to do the best I could to get the laws before the people, and pursued the course as designated above, and in which I hope and believe I will be sustained by your Excellency and the General Assembly.

Near the close of the first session of the 28th General Assembly, the following joint resolution of instruction was adopted, viz:

*Resolved by the House of Representatives, the Senate concurring herein,* That the Secretary of State be directed to have published during the recess, and in the usual form, the Journals of both Houses up to the time of the adjournment of the present regular session: *Provided,* that this publication, so far as it goes, shall be in lieu of that required by law to be made, and within the same time as if the General Assembly adjourned *sine die* on the 6th day of May, 1873.

As the number of copies of the journals to be published was not designated in the above resolution, I was obliged to act on my judgment as to what I believed was the intention of the members of the Legislature in this matter, and therefore ordered the Public Printer to print five hundred copies each of the Senate and House Journals; and at the same time, desiring to reflect the wishes of the members aforesaid, I instructed the State Binder to bind two hundred and twenty-five (225) copies of said journals in a more substantial manner than ordinary, for the use of the members of the present session. In this I am sustained by the other members of the Board of Commissioners of Public Printing, and hope to be by the General Assembly.

In this connection it may be proper for me to report, that upon consultation with the Commissioners of Public Printing, it was decided that it would be for the interests of the people of the State that the various reports, which were laid before your Excellency, and the present

General Assembly, at its first session, (which are to be printed and distributed pursuant to law) should be printed and distributed as speedily as possible, in order that the people, who are to be benefited by the information contained in said reports, should receive them soon. I therefore ordered the State Printer to print the reports as provided by law, and the same are now in the hands of the State Binder, who has orders to finish his work as speedily as possible. The Commissioners, believing they have acted in this, as in other matters, for the best interests of the State and the people, hope to be sustained in their action by your Excellency and the Legislature.

In accordance with section 15 of the law for Public Printing, a practical printer has been employed by the Secretary of State since December, 1872, and is still so employed.

The present law regulating the public printing, with the few changes as suggested by the Committee on Revision, is, in my opinion, a most excellent law, and I do not think could be made more satisfactory in any respect.

[Signed]

GEO. H. HARLOW,  
*Secretary of State.*

Senate bill, No. 449, for "An act to revise the law in relation to permitting animals to run at large,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 450, for "An act to revise the law in relation to dower,"

Was taken up and read at large a first time, and ordered to a second reading.

Mr. Canfield (by unanimous consent) offered the following resolution, and, on his motion, the rules were suspended and the resolution was adopted :

*Resolved*, That the standing hour of meeting of the Senate, until otherwise ordered, be at 10 o'clock, A. M.

On motion of Mr. Dow,

Senate bill, No. 360, for "An act in regard to forcible entry and detainer,"

Was taken from the order of bills on third reading and recommitted to the committee on revision.

On motion of Mr. Crews,

The Senate, at 12:20 o'clock P. M., adjourned until 2:30 o'clock P. M.

#### TWO-THIRTY O'CLOCK P. M.

Senate met, pursuant to adjournment.

Mr. Dow (by unanimous consent) presented the following resolution :

*Resolved by the Senate, the House of Representatives concurring therein*, That the joint committee of the Senate and House of Representatives on revision be, and the same is hereby continued during the present session of the General Assembly, and that said committee is hereby authorized to employ a clerk when, in its discretion, the business of the committee shall require.

On motion of Mr. Dow,

The rules were suspended and the resolution was adopted.

Mr. Hampton, from the committee on expenses of the General Assembly, made the following report :

*To the Senate*: The committee on the expenses of the General Assembly having had the following resolution under consideration, do

report that in their opinion the committee on engrossed and enrolled bills is the only committee requiring a clerk :

*Resolved*, That the committee on expenses of the General Assembly be, and is hereby instructed to ascertain what standing committees of the Senate will require clerks, and to report as soon as practicable to the Senate.

And the question being "Will the Senate concur with the committee in their report?" it was decided in the affirmative.

Senate bill, No. 451, for "An act to revise the law in relation to frauds and perjuries,"

Was taken up and read at large a first time, and ordered to a second reading.

Mr Casey (by unanimous consent) offered the following resolution :

*Resolved by the Senate*, That the Governor be, and he is hereby respectfully requested to inform the Senate what steps, if any, have been taken by the Attorney General to compel the trustees of the Illinois Central Railroad Co. to comply with the provisions of an act of the General Assembly entitled "An act to compel the trustees of the Illinois Central Railroad Company to execute their trust."

On motion of Mr. Casey,

The rules were suspended and the foregoing resolution was adopted.

Senate bill, No. 452, for "An act to revise the law in relation to fugitives from justice,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 453, for "An act to revise the law in relation to the General Assembly,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 454, for "An act to revise the law in relation to habeas corpus,"

Was taken up and read at large a first time, and ordered to a second reading.

At 3:50 o'clock, P. M., Mr. Burke moved to adjourn; which motion was decided in the negative.

Senate bill, No. 455, for "An act to revise the law in relation to husband and wife."

Was taken up and read at large a first time and ordered to a second reading.

Senate bill, No. 456, for "An act to revise the law in relation to injunction."

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 457, for "An act to revise the law in relation to jails and jailers,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 458, for "An act to revise the law in relation to licenses,"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Hampton,

Recommitted to the committee on revision.

Senate bill, No. 459, for "An act to revise the law in relation to mines,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 460, for "An act to revise the law in relation to *ne creat*,"

Was taken up and read at large a first time, and ordered to a second reading.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the adoption of the following resolution, to-wit:

*Resolved by the Senate, the House of Representatives concurring therein, That the joint committee of the Senate and House of Representatives on revision be, and the same is hereby continued during the present session of the General Assembly, and that said committee is hereby authorized to employ a clerk when in its discretion the business before said committee shall require.*

Senate bill, No. 461, for "An act to revise the law in relation to official bonds,"

Was taken up and read at large a first time, and ordered to a second reading.

On motion of Mr. Nicholson,

The Senate, at 4:10 o'clock P. M., adjourned.

FRIDAY, JANUARY 9, 1874—10 O'clock, A. M.

The Senate met, pursuant to adjournment.

The journal of yesterday was being read, when,

On motion of Mr. Glenn,

The further reading of the same was dispensed with.

Mr. Hinchcliffe presented a petition relating to the school law; which, on his motion, was referred to the committee on education.

Mr. Brooks presented a petition relating to the collection of taxes; which, on his motion, was referred to the committee on revenue.

Mr. Steele, from the joint committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly engrossed:

Senate bill, No. 435, for "An act to amend an act entitled 'an act concerning circuit courts and to fix the times for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook,' approved May 2, 1873."

Mr. Dow presented a petition relating to the Foundlings' Home, Chicago; which, on his motion, was referred to the committee on state charitable and educational institutions.

Mr. Jacobs (by unanimous consent) introduced Senate bill, No. 486, for "An act to repeal an act entitled 'an act to establish a court of common pleas in the city of Amboy,' approved March 11, 1869."

Which was ordered to a first reading.

By unanimous consent, the bill was read at large a first time and ordered to a second reading, and,

On motion of Mr. Jacobs,

Referred to the committee on judiciary.

Mr. Cummings (by unanimous consent) called up Senate bill, No. 435, for "An act to amend an act entitled 'an act concerning circuit courts and to fix the times for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook,' approved May 2, 1873."

Which, having been printed, was read at large a third time.

And the question being "Shall this bill pass?" it was decided in the affirmative—yeas 36, nays 4.

Those voting in the affirmative are,

Messrs. Brooks, Burke, Canfield, Casey, Castle, Cummings, Cunningham, Cusey, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Huchcliffe, Hundley, Jacobs, Kehoe, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starne, Steele, Strong, Upton, Voris, Ware, Warren, Wilcox, Mr. President—36.

Those voting in the negative are,

Messrs. Baldwin, Crews, Kelly, Youngblood—4.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and having received a vote of two-thirds of the members elected, was declared passed.

Mr. Steele offered the following amendment to the title of the bill, which was adopted:

Amend title by inserting after the word "amend," the words, "section one of."

Ordered that the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Starne (by unanimous consent) called up the following resolution for consideration:

*Resolved*, That the Auditor of Public Accounts be requested to furnish the Senate with the following information:

- 1st. The number of miles of railroad constructed under the provisions of the law of 1869.
- 2d. The assessed value of all the property and stock of said companies for the year 1873.
- 3d. The assessed value of all property, except railroad property, in the counties and towns through which said railroads run, for the years 1868 and 1873.

Mr. Sanford offered the following amendment, which was adopted:

Amend by adding "the assessed value of all property in such counties respectively in the year 1868."

And the question being, "Shall the resolution as amended be adopted?" it was decided in the affirmative.

Mr. Nicholson (by unanimous consent), from the committee on counties and township organization, to which was referred Senate bill, No. 485, for "An act authorizing the Board of County Commissioners elected in pursuance of article 10, section 6, of the constitution, to perform the powers and duties heretofore devolving upon the county courts in the transaction of county business in counties not under township organization," reported the same back, with an amendment, and recommended its adoption, and that the bill as amended be passed.

The bill was read at large a second time, and the amendment reported by the committee was adopted, and the bill ordered on file to be considered by sections.

On motion of Mr. Murphy,

The bill was discharged from the order of consideration by sections, and ordered to be engrossed and printed for a third reading.

By unanimous consent, the order of introduction of bills was taken up.

Mr. Burke introduced Senate bill, No. 487, for "An act to amend section No. 71 of an act entitled 'an act in regard to administrators of estates,' approved April 1st, 1872, and in force July 1st, 1872."

Which was ordered to a first reading, and,

On motion of Mr. Burke,

Referred to the joint committee on revision.

Mr. Burke introduced Senate bill, No. 488, for "An act to amend 'an act in regard to judgments and decrees, and the manner of enforcing the same by executions, and to provide for the redemption of real estate sold under execution or decrees,' approved April 10th, 1872, and in force July 1st, 1872."

Which was ordered to a first reading, and,

On motion of Mr. Burke,

Referred to the joint committee on revision.

Mr. Dow introduced Senate bill, No. 489, for "An act in relation to the office of chancellor in universities of learning."

Which was ordered to a first reading, and,

On motion of Mr. Dow,

The bill was read at large a first time, and ordered to a second reading, and referred to the committee on education.

Mr. Dow presented a petition relating to the preceding bill, which was referred to the committee on education.

Mr. Casey introduced Senate bill, No. 490, for "An act in regard to malicious mischief."

Which was ordered to a first reading, and,

On motion of Mr. Casey,

The bill was read at large a first time and ordered to a second reading, and referred to the committee on judiciary.

Mr. Ware introduced Senate bill, No. 491, for "An act to amend section 5 of an act entitled 'an act to allow convicts in the penitentiary a credit in diminution of their sentence, and for their being restored to citizenship upon certain conditions,' approved March 19th, 1872."

Which was ordered to a first reading, and,

On motion of Mr. Ware,

Referred to the committee on judiciary.

Mr. Upton, from joint committee on revision, introduced Senate bill, No. 492, for "An act to revise the law in regard to horse and dummy railroads."

Which was ordered to a first reading.

Mr. Casey introduced Senate bill, No. 493, for "An act to amend an act entitled 'an act in regard to roads and bridges in counties under township organization.'"

Which was ordered to a first reading, and,

On motion of Mr. Casey,

The bill was read at large a first time, and ordered to a second reading.

Mr. Nicholson introduced Senate bill, No. 494, for "An act to amend an act entitled 'an act concerning masters in chancery,' approved April 4th, 1872."

Which was ordered to a first reading.

Mr. Henry (by unanimous consent) called up his resolution offered yesterday, relating to an amendment to the constitution of the State, and,

On motion of Mr. Henry,

The resolution was ordered printed.

On motion of Mr. Dow,

Leave of absence was granted Mr. Thompson until Monday.

The order of Senate bills on first reading was ordered taken up for consideration.

Senate bill, No. 462, for "An act to revise the law in relation to oil inspection,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 465, for "An act to revise the law in relation to the State militia,"

Was taken up and read at large a first time, and ordered to a second reading.



Senate bill, No. 466, for "An act to revise the law in relation to pardons,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 467, for "An act to revise the law in relation to paupers,"

Was taken up and read at large a first time, and ordered to a second reading.

Mr. Crews (by unanimous consent) called up the following resolution for consideration:

*Be it resolved by the Senate, the House of Representatives concurring herein, That our Senators in Congress be instructed, and our Representatives be requested to vote for and urge the immediate and unconditional repeal of an act of Congress known as the general bankrupt law; that the Secretary of State shall transmit to each of our Senators and Representatives in Congress an authenticated copy of this resolution.*

Mr. Hampton offered the following amendment:

Strike out the words "unconditional repeal," and insert the words "for a modification of."

Mr. Archer offered the following amendment to the amendment:

Insert after the words "modification of," the words "by a repeal of so much of said law as provides for involuntary bankruptcy."

On motion of Mr. Cusey,

The previous question was ordered.

The question being, "Shall the amendment to the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Canfield, Casey, Cusey, Gundlach, Hinchcliffe, Hundley, Kehoe, Murphy, Shepard, Steele, Whiting—14.

Those voting in the negative are,

Messrs. Burke, Castle, Crews, Cunningham, Ferrell, Glenn, Green, Hampton, Henry, Jacobs, Kelly, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Starne, Strong, Voria, Ware, Warren, Wilcox—23.

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Canfield, Castle, Cusey, Green, Gundlach, Hampton, Hinchcliffe, Hundley, Sheldon, Shepard, Strong, Upton—14.

Those voting in the negative are,

Messrs. Brooks, Burke, Canfield, Casey, Crews, Cunningham, Cusey, Ferrell, Glenn, Henry, Jacobs, Kehoe, Kelly, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sanford, Starne, Steele, Voria, Ware, Warren, Whiting, Wilcox—24.

The question being, "Shall the resolution be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Burke, Canfield, Casey, Crews, Cunningham, Cusey, Ferrell, Glenn, Gundlach, Henry, Hundley, Jacobs, Kehoe, Kelly, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sanford, Shepard, Starne, Voria, Ware, Warren, Whiting, Wilcox—28.

Those voting in the negative are,

Messrs. Archer, Baldwin, Castle, Green, Hampton, Hinchcliffe, Sheldon, Steele, Strong, Upton—10.

At 12:20 o'clock P. M., Mr. Ferrell moved to adjourn until 2:30 o'clock P. M.

Those voting in the affirmative are,

Mr. Canfield moved to adjourn.

And the yeas and nays being demanded, it was decided in the negative by the following vote:

Messrs. Archer, Burke, Canfield, Casey, Crews, Cusey, Kehoe, Palmer—8.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Castle, Cummings, Cunningham, Ferrell, Glen, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hurdley, Jacobs, Kelly, Murphy, Nicholson, Patterson, Reynolds, Sanford, Sheldon, Shepard, Sterne, Strong, Voris, Ware, Warren, Whiting, Wilcox, Mr. President—30.

Mr. C. B. Steele, from the joint committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly engrossed :

Senate bill, No. 358, for "An act to prevent extortionate charges by any company, corporation, person or persons owning or operating any stock yards in this State."

The question then being, "Shall the Senate adjourn until 2:30 o'clock P. M. ?" it was decided in the affirmative.

#### TWO-THIRTY O'CLOCK P. M.

The Senate met, pursuant to adjournment.

Senate bill, No. 468, for "An act to revise the law in relation to quo warranto,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 469, for "An act to revise the law in relation to reporter of the supreme court,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 470, for "An act to revise the law in relation to the seat of government,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 471, for "An act to revise the law in relation to slander and libel,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 472, for "An act to revise the law in relation to State contracts,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 473, for "An act to revise the law in relation to sureties,"

Was taken up and read at large a first time, and ordered to a second reading.

Mr. Sanford, (by unanimous consent) from the committee on judiciary, to which was referred Senate bill, No. 486, for "An act to repeal an act entitled 'an act to establish a court of common pleas in the city of Amboy,' approved March 11, 1869," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for second reading.

Senate bill, No. 474, for "An act to revise the law in relation to county surveyors and the custody of the United States field notes,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 475, for "An act to revise the law in relation to telegraph companies,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 476, for "An act to revise the law in relation to slander,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 477, for "An act to revise the law in relation to toll bridges,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 478, for "An act to revise the law in relation to township insurance companies,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 479, for "An act to revise the law in relation to universities, colleges, academies, and other institutions of learning,"

Was taken up and read at large a first time, and ordered to a second reading.

Mr. Casey (by unanimous consent) offered the following resolution, which laid over under the rule:

*Resolved by the Senate,* That the committee on railroads be and they are hereby respectfully requested to report back to the Senate Senate bill No. 416, the same being "An act to prohibit the granting of passes to State or county officers, and their receiving the same."

Mr. Crews (by unanimous consent) offered the following resolution, which laid over under the rule:

*Resolved,* That the judiciary committee be and they are hereby instructed to inquire into the propriety and expediency of repealing an act of the General Assembly, passed by the Twenty-seventh General Assembly, extending the jurisdiction of the county courts in this State; and that they report at their earliest convenience by bill or otherwise.

Senate bill, No. 480, for "An act to revise the law in relation to vacation of streets, alleys, and public grounds,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 481, for "An act to revise the law in relation to toll roads,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 482, for "An act to revise the law in relation to weights and measures,"

Was taken up and read at large a first time, and ordered to a second reading.

On motion of Mr. Ferrell,  
The Senate, at 4 o'clock P. M., adjourned.

SATURDAY, JANUARY 10, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by the Rev. Mr. Hale.

The journal of yesterday was being read, when,

On motion of Mr. Ferrell,  
The further reading of the same was dispensed with.

Mr. Palmer (by unanimous consent) offered the following resolution:

*Resolved by the Senate.* That the committee on penal institutions be requested at as early a period as consistent with their other duties to visit the State penitentiary at Joliet, and report the result of their observations in regard to the management of that institution to this body.

On motion of Mr. Palmer,

The rules were suspended, and the foregoing resolution was taken up for consideration.

The question being "Shall the resolution be adopted?" it was decided in the affirmative.

On motion of Mr. Ferrell,

The message of the Governor, received January 8th, A. D. 1874, transmitting nominations for notaries public, was taken up for consideration.

And the question being, "Does the Senate advise and consent to the nominations just made?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Canfield, Casey, Castle, Crews, Cummings, Cunningham, Cusey, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, McGrath, Nicholson, Palmer, Sanford, Sheldon, Shepard, Starne, Steele, Strong, Upton, Ware, Warren, Whiting, Youngblood, Mr. President—36.

Mr. Nicholson (by unanimous consent) offered the following resolution:

WHEREAS, the United States Centennial Commission has requested the appointment, in each State, of a "State Board of Managers," to represent their respective States at the International Exhibition, to be held in the city of Philadelphia in 1876; therefore,

*Resolved by the Senate, the House of Representatives concurring herein.* That the Governor be and is hereby authorized to appoint a "State Board of Managers," consisting of five members, to represent the interests of this State at the International Exhibition to be held at the city of Philadelphia in 1876; and the Governor is also hereby authorized to require said "State Board of Managers," annually, to report to him their proceedings on or before the 1st of January, to be by him submitted to the General Assembly.

On motion of Mr. Nicholson,

The rules were suspended and the resolution was taken up for consideration.

On motion of Mr. Reynolds,

The resolution was referred to the committee on miscellany.

The President announced as the order of business Senate bills on first reading, and

Senate bill, No. 483, for "An act to repeal certain acts therein named,"

Was taken up and read at large a first time, and ordered to a second reading.

Mr. Reynolds (by unanimous consent) offered the following resolution:

WHEREAS, this General Assembly has passed a law providing that the Board of Railroad and Warehouse Commissioners shall establish a schedule of rates of tariff for the various railroads in this State, which are to go into effect on the 15th day of this month; therefore,

*Resolved.* That the Board of Railroad and Warehouse Commissioners be requested to furnish the Senate with copies of such schedules at as early a day as possible, provided they can be furnished without additional cost for printing.

On motion of Mr. Reynolds,

The rules were suspended and the resolution was taken up for consideration.

Mr. Steele offered the following amendment to the resolution:

Strike out all after the word "possible."

Mr. Sheldon moved to refer the resolution and amendment to the committee on printing.

The question being "Shall the resolution and amendment be referred?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Burke, Canfield, Casey, Castle, Cummings, Henry, Hundley, Jacobs, McGrath, Patterson, Sheldon, Strong, Voris, Warren—15.

Those voting in the negative are,

Messrs. Archer, Brooks, Crews, Cunningham, Cusey, Ferrell, Green, Gundlach, Hampton, Hinchcliffe, Kehoe, Kelly, Nicholson, Palmer, Reynolds, Sanford, Shepard, Steele, Upton, Ware, Whiting, Yager, Youngblood, Mr. President—24.

Mr. Hinchcliffe moved to lay the resolution and amendment on the table.

The question being "Shall the resolution and amendment be laid on the table?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Burke, Casey, Castle, Cummings, Cunningham, Ferrell, Gundlach, Hinchcliffe, Hundley, Jacobs, McGrath, Sheldon, Strong, Voris, Ware, Warren, Youngblood—17.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brooks, Canfield, Crews, Cusey, Green, Hampton, Henry, Kehoe, Kelly, Nicholson, Palmer, Patterson, Reynolds, Sanford, Steele, Upton, Whiting, Wilcox, Mr. President—21.

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the adoption of the following resolution, to-wit :

*Be it resolved by the Senate, the House of Representatives concurring herein, That our Senators in Congress be instructed and our Representatives requested to vote for and urge the immediate and unconditional repeal of an act of Congress known as the General Bankrupt Law ; that the Secretary of State shall transmit to each of our Senators and Representatives in Congress an authenticated copy of this resolution.*

On motion of Mr. Voris,

The previous question was ordered.

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote :

Those voting in the affirmative are,

Messrs. Canfield, Kehoe, Palmer, Shepard, Steele, Upton, Voris—7.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brooks, Burke, Casey, Castle, Crews, Cummings, Cusey, Ferrell, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kelly, Nicholson, Patterson, Reynolds, Sheldon, Starnes, Strong, Ware, Warren, Whiting, Youngblood, Mr. President—29.

The question being "Shall the resolution be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Canfield, Crews, Cunningham, Cusey, Green, Gundlach, Hampton, Kelly, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Strong, Ware, Whiting, Mr. President—20.

Those voting in the negative are,

Messrs. Burke, Casey, Castle, Cummings, Ferrell, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, McGrath, Patterson, Shepard, Starnes, Steele, Upton, Voris, Warren, Youngblood—19.

Mr. Kelly (by unanimous consent) introduced Senate bill, No. 495, for "An act in regard to assessors and collectors in certain incorporated cities, and to extend the times for the assessment and collection of county and State taxes therein."

Which was ordered to a first reading.

By unanimous consent the rules were suspended and the bill read at large a first time and ordered to a second reading, and,

On motion of Mr. Kelly,

Referred to the committee on revenue.

On motion of Mr. Shepard,

By unanimous consent, House bill, No. 410, for "An act to amend section 1 of an act entitled 'an act making appropriations for the payment of the indebtedness of the Soldiers' Orphans' Home,'"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Shepard,

Referred to the committee on appropriations.

Mr. Green (by unanimous consent) offered the following resolution, which was laid over under the rule :

*Resolved*, That all bills reported by the committee on revision be read by sections on their second reading and discharged from the order of reading by sections.

Leave of absence was granted Mr. Green until Friday.

Mr. Strong (by unanimous consent), from the committee on printing, to which was referred the following resolution, reported the same back and recommended that it do not be adopted :

*Resolved by the Senate, the House of Representatives concurring herein*, That the Secretary of State be and he is hereby authorized and instructed to order the State printer to print such necessary circulars and blanks as may be ordered by the State Board of Railroad and Warehouse Commissioners for their use in the discharge of their official duties and as further provided in an act to provide for and regulate the execution of the public printing, approved April 9. 1871, in force July 1, 1871.

On motion of Mr. Strong,

The resolution was laid on the table.

Mr. Upton (by unanimous consent) made the following report :

Mr. Upton, from the committee on revision, to which was referred Senate bill, No. 324, for "An act to authorize notaries public to take acknowledgment of chattel mortgages," reported the same back and recommended that it do not pass, and the bill lie on the table.

The report of the committee was concurred, and the bill ordered to lie on the table.

Mr. Upton, from the committee on revision, to which was referred House bill, No. 320, for "An act to authorize a decree and execution for any balance unpaid after sale of real estate in suits for the foreclosure of mortgages and the enforcement of vendors' liens and liens for labor and material," reported the same back and recommended it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Upton, from the committee on revision, to which was referred Senate bill, No. 360, for "An act in regard to forcible entry and detainer," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

The report of the committee was concurred in, the amendments adopted, and the bill ordered to be engrossed and printed for a third reading.

Mr. Upton, from the committee on revision, to which was referred House bill, No. 182, for "An act for the protection of livery stable keepers and other persons keeping horses at boarding or pasture," reported the same back, and recommended that the bill do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Upton, from the committee on revision, to which was referred Senate bill, No. 488, for "An act to amend an act entitled 'an act in regard to judgments and decrees and the manner of enforcing the same by executions, and to provide for the redemption of real estate sold

under execution or decrees,' approved April 10, 1872, and in force July 1, 1872," reported the same back and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Sanford (by unanimous consent) made the following reports :

Mr. Sanford, from the committee on judiciary, to which was referred Senate bill, No. 19, for "An act to amend an act entitled 'an act in regard to judgments and decrees,'" reported the same back and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Sanford, from the committee on judiciary, to which was referred Senate bill, No. 273, for "An act in relation to the redemption of lands held under deeds acquired by virtue of tax sales," reported the same back and recommended that it do not pass and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Sanford, from the committee on judiciary, to which was referred Senate bill, No. 86, for "An act to amend section 13 of an act entitled 'an act to provide for the jurisdiction and practice of justices of the peace in civil cases and fix the duties of constables, and to repeal certain acts therein named,' approved April, 1872," reported the same back and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Sanford, from the committee on judiciary, to which was referred Senate bill, No. 463, for "An act to perpetuate the extent and boundary of the village of Prairie Du Pont, and for other purposes," reported the same back and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Sanford, from the committee on judiciary, to which was referred Senate bill, No. 181, for "An act to prevent frauds in the execution of bonds of office and official and legal proceedings," reported the same back and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Senate bill, No. 492, for "An act to revise the law in regard to horse and dummy railroads,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 464, for "An act to prevent injury to persons and damage to property on railroads,"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Casey,

Referred to the committee on railroads and ordered to be printed.

Senate bill, No. 431, for "An act in relation to the collection of wages,"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Hinchcliffe,

Referred to the committee on manufactures.

Mr. J. J. McGrath, from committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly engrossed:

Senate bill, No. 485, for "An act authorizing the board of county commissioners elected in pursuance of section 6, article 10, of the constitution, to perform the powers and duties heretofore devolving upon the county courts in the transaction of county business in counties not under township organization."

Senate bill, No. 430, for "An act to amend sections 23 and 25 of an act entitled 'an act in regard to roads and bridges in counties under township organization,' approved April 11th, 1873,"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Palmer,

Referred to the committee on roads and bridges.

Senate bill, No. 484, for "An act in relation to surplus funds in the State treasury placed to the credit of counties, townships, cities and towns for railroad purposes, and providing for transferring the same,"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Canfield,

Referred to the committee on judiciary.

Senate bill, No. 494, for "An act to amend an act entitled 'an act concerning masters in chancery,' approved April 4th, 1872,"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Canfield,

Referred to the committee on judiciary.

On motion of Mr. Cummings,

The Senate, at 12:10 o'clock P. M., adjourned until 2:30 o'clock, P. M.

#### TWO-THIRTY O'CLOCK P. M.

Senate met, pursuant to adjournment.

Mr. Hinchcliffe (by unanimous consent) offered the following resolution, which was laid over under the rule.

*Resolved*, That all revision bills shall be taken up and considered in their numerical order, and it shall not be competent to call up any such bill out of its numerical order.

On motion of Mr. Whiting,

The rules were suspended and Senate bill, No. 390, for "An act to provide for the daily publication and distribution of the journals of the two houses of the General Assembly," was taken up for consideration by sections.

And the pending question being "Will the Senate adopt the amendment to the bill reported by the committee on printing?" it was decided in the affirmative.

Mr. Canfield offered the following amendment, which was lost:

Amend section 1 by striking out the word "two" and insert in lieu thereof the word "five."



Mr. Casey offered the following amendment, which was adopted :

Add to section 1 as follows :

"*Provided*, that no compensation whatever shall be made to the printer unless the journals printed shall be furnished to each house of the General Assembly at the time of their meeting on the day succeeding the making of the journal."

Mr. Palmer moved to reconsider the vote whereby the preceding amendment was adopted.

The question being "Will the Senate reconsider the vote adopting the amendment?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Canfield, Castle, Cummings, Ferrell, Green, Hampton, Henry, Palmer, Sanford, Shepard, Voria, Whiting, Mr. President—15.

Those voting in the negative are,

Messrs. Brooks, Burke, Casey, Crews, Cusey, Gundlach, Hinchcliffe, Hundley, Jacobs, Kelly, McGrath, Patterson, Starnes, Steele, Strong, Upton, Warren, Youngblood—18.

Section 1, as amended, was adopted.

Sections 2 and 3 were adopted.

Section 4, as amended, was adopted.

Mr. Whiting offered the following amendment, which was adopted:

"Section 5. Whereas, it is desirable to have the use of these journals during the present session; therefore, an emergency exists, and this act shall go into effect from and after its passage."

On motion of Mr. Sheldon,

The bill and amendments were recommitted to the committee on printing.

On motion of Mr. Baldwin,

The rules were suspended and Senate bill, No. 334, for "An act relative to property conveyed, devised, or bequeathed to the State in trust for charitable purposes," was taken up for consideration by sections.

Mr. Sheldon offered the following amendment, which was adopted:

Insert the words "or educational" after word "charitable."

Section 1, as amended, was adopted, and the bill was ordered engrossed and printed for a third reading.

On motion of Mr. Jacobs,

The rules were suspended and Senate bill, No. 486, for "An act to repeal 'an act to establish a court of common pleas in the city of Amboy,' approved March 11th, 1869," was taken up and read at large a second time and ordered on file to be considered by sections.

On motion of Mr. Jacobs,

The rules were suspended and the bill was discharged from consideration by sections, and ordered engrossed and printed for a third reading.

Mr. Casey, at 3:45 o'clock P. M., moved to adjourn.

And the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Casey, Cusey, Ferrell, Henry, Hinchcliffe, McGrath, Palmer, Sanford, Starnes, Strong, Warren—12.

Those voting in the negative are,

Messrs. Brooks, Cummings, Green, Gundlach, Hampton, Hundley, Jacobs, Kelly, Patterson, Shepard, Ware, Whiting, Youngblood, Mr. President—14.

Mr. Ware (by unanimous consent) introduced Senate bill, No. 496, for "An act defining public streams and to prevent their obstruction."

Which was ordered to a first reading.

On motion of Mr. Ware,

The rules were suspended, the bill was read at large a first time, and referred to the committee on judiciary.

Mr. Palmer, at 4 o'clock P. M., moved to adjourn.

And the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Canfield, Casey, Ferrell, Hampton, Henry, Hinchcliffe, Hundley, Palmer, Sanford, Sheldon, Strong, Ware, Warren—14.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Burke, Crews, Cummings, Cusey, Green, Gundlach, Jacobs, Kelly, McGrath, Patterson, Shepard, Starne, Steele, Youngblood, Mr. President—17.

Mr. Casey moved to suspend the rules for the purpose of considering the following resolution:

*Resolved by the Senate.* That the committee on railroads be and they are hereby respectfully requested to report back to the Senate Senate bill No. 416.

—The same being an act to prohibit the granting of passes to State or county officers, and their receiving the same.

The question being "Shall the rules be suspended?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Casey, Crews, Cummings, Cusey, Ferrell, Green, Gundlach, Henry, Hinchcliffe, Hundley, Jacobs, Kelly, McGrath, Palmer, Patterson, Sanford, Shepard, Starne, Steele, Strong, Upton, Ware, Warren, Whiting, Youngblood, Mr. President—29.

Those voting in the negative are,

Mr. Sheldon—1.

Mr. Hinchcliffe, at 5:30 o'clock P. M., moved to adjourn.

And the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Hinchcliffe, Patterson, Sanford—3.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brooks, Burke, Casey, Crews, Cummings, Cusey, Ferrell, Green, Henry, Hundley, Jacobs, Kelly, McGrath, Shepard, Starne, Steele, Ware, Warren, Whiting, Youngblood, Mr. President—23.

On motion of Mr. Cummings,

The previous question was ordered.

The question being, "Shall the resolution be adopted?" it was decided in the affirmative.

At 5:45 o'clock, P. M., Mr. Archer moved to adjourn.

And the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Canfield, Cusey, Ferrell, Henry, Hundley, Kelly, McGrath, Patterson, Sanford, Sheldon, Shepard, Strong, Ware, Warren, Whiting, Mr. President—17.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Burke, Casey, Crews, Cummings, Green, Hinchcliffe, Jacobs, Palmer, Starne, Steele, Upton, Youngblood—14.

MONDAY, JANUARY 12, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by the Rev. Mr. Paynter.

The journal of Saturday last was being read, when

Mr. Palmer moved to dispense with the further reading of the same ; which motion was decided in the negative.

The reading of the journal was being proceeded with, when

Mr. Strong moved to dispense with the same ; which motion was decided in the negative.

The reading of the journal was then proceeded with and concluded, and approved by the Senate.

On motion of Mr. Castle,

The committee on penal institutions was granted leave of absence.

Mr. Cummings (by unanimous consent) introduced Senate bill, No. 497, for "An act to prevent fraudulent issue of railroad stock and bonds."

Which was ordered to a first reading, and,

On motion of Mr. Cummings,

The rules were suspended. the bill (Senate bill, No. 497) was read at large a first time, ordered to a second reading, and referred to the committee on railroads.

Mr. Brooks (by unanimous consent) introduced Senate bill, No. 498, for "An act to amend an act entitled 'an act to exempt the homestead from forced sale, and to provide for setting off the same, and to exempt certain personal property from attachment and sale on execution and from distress for rent.'"

Which was ordered to a first reading.

Senate bill, No. 532, for "An act to define the duties of the Attorney-General in certain cases,"

Was taken up for a third reading, when,

On motion of Mr. Waite,

It was referred to the committee on revision.

On motion of Mr. Canfield,

The rules were suspended, and House bills on first reading were ordered taken up for consideration.

House bill, No. 530, for "An act to amend an act entitled 'an act in regard to practice in courts of record,'"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Canfield,

Referred to the committee on judiciary.

House bill, No. 309, for "An act for the relief of Fredrick Wagner,"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Canfield,

Referred to the committee on appropriations.

House bill, No. 502, for "An act to repeal an act entitled 'an act to attach all fractional townships in Kankakee county to full townships for school purposes,'"

Was taken up and read at large a first time, and ordered to a second reading.

House bill, No. 400, for "An act to restrict the issue of first mortgage bonds by railroad corporations,"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Canfield,

Referred to the committee on railroads.

House bill, No. 17, for "An act to enable boards of underwriters incorporated by or under the laws of the State of Illinois, to establish and maintain a fire patrol,"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Canfield,

Referred to the committee on insurance.

House bill, No. 491, for "An act to amend section two, of 'an act to amend chapter twenty-two of the Revised Statutes of 1845, entitled 'Charitable Uses,' in force March 31, 1869,"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Canfield,

Referred to the committee on judiciary.

House bill, No. 438, for "An act to amend section three of an act providing for the publication and distribution of the fifth volume of the report of the State Geologist, and to fix the amount of his salary until the publication of the sixth and final volume of said report,"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Cusey,

Referred to the committee on geology and science.

House bill, No. 343, for "An act to amend section five of an act entitled 'an act in regard to evidence and depositions in civil cases,' approved March 29, 1872,"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Canfield,

Referred to the committee on judiciary.

House bill, No. 546, for "An act requiring boards of trustees, commissioners, treasurers, and other officers having control of the finances of public institutions to give bonds for the faithful performance of their duties,"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Waite,

Referred to the joint committee on revision.

House bill, No. 578, for "An act to make an appropriation to pay the expenses of the Railroad and Warehouse Commission, and salaries of the commissioners and their clerks,"

Was taken up and read at large a first time, and,

On motion of Mr. Canfield,

Ordered to lie on the table.

House bill, No. 442, for "An act to amend an act entitled 'Divorces,' approved March 3, 1845,"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Jacobs,

Referred to the committee on judiciary.

On motion of Mr. Sanford,

The vote whereby the bill was referred to the committee on judiciary, was reconsidered, and,

The question being, "Shall the bill be referred to the committee on judiciary?" it was decided in the negative, and the bill was ordered on file for a second reading.

House bill, No. 305, for "An act to define monopolies in the internal trade and commerce of this State, and discourage the formation and continuance thereof,"

Was taken up and read at large a second time, and ordered on file to be considered by sections, and to be printed.

House bill, No. 467, for "An act to authorize the trustees of the Illinois State Hospital for the Insane, at Jacksonville, to sell and convey one and one-half acres of land to the city of Jacksonville, for public water works,"

Was taken up and read at large a second time, and ordered on file to be considered by sections, and,

On motion of Mr. Brown,

The rules were suspended, and the bill discharged from consideration by sections, and ordered to a third reading, and to be printed.

House bill, No. 336, for "An act to amend section 2 of an act entitled 'an act in regard to practice in courts of record,' approved February 22, 1872,"

Was taken up and read at large a second time, and ordered on file to be considered by sections, and to be printed.

House bill, No. 399, for "An act to amend an act entitled 'an act in regard to forcible entry and detainer,' approved April 10, 1872,"

Was taken up and read at large a second time, and,

On motion of Mr. Canfield,

Referred to the joint committee on revision.

House bill, No. 263, for "An act concerning the publication of legal notices,"

Was taken up and read at large a second time, and,

On motion of Mr. Waite,

Ordered referred to the joint committee on revision.

House bill, No. 428, for "An act to amend section 46 of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' approved March 29, 1872,"

Was taken up and read at large a second time, and ordered on file to be considered by sections, and to be printed.

House bill, No. 480, for "An act to amend section 42 of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,'"

Was taken up and read at large a second time, and ordered on file to be considered by sections, and to be printed.

House bill, No. 468, for "An act to amend section three (3) of an act entitled 'an act to allow convicts in the penitentiary a credit in diminution of their sentence, and for their being restored to citizenship on certain conditions,' approved March 9, 1872,"

Was taken up and read at large a second time, and ordered on file to be considered by sections, and to be printed.

House bill, No. 149, for "An act to appropriate fifty thousand dollars to complete the Douglas monument at Chicago,"

Was taken up and read at large a second time, and,

On motion of Mr. Sanford,

Ordered referred to the committee on appropriations.

House bill, No. 580, for "An act to provide for the removal of the monuments, tombstones and remains of certain members of the General Assembly of this State, who died and were buried at Vandalia, Illinois,"

Was taken up and read at large a second time, and ordered on file to be considered by sections, and to be printed.

House bill, No. 371, for "An act to insure the better professional education of practitioners of dental surgery in the State of Illinois,"

Was taken up and read at large a second time, and ordered on file to be considered by sections, and to be printed.

The President announced as the next order of business messages from the House of Representatives.

The following House resolution was taken up:

*Resolved by the House of Representatives, the Senate concurring herein, That the committee heretofore appointed to revise the statute laws of this State be and the same is hereby requested to report the various bills by them revised in equal numbers to each house according to the manner agreed upon by such committee, and that said bills be considered from day to day until disposed of.*

On motion of Mr. Hinchcliffe,

The resolution was ordered to lie on the table.

Mr. Voris (by unanimous consent) offered the following resolution; which was laid over under the rule:

*WHEREAS, the general interests of the country demand the unconditional repeal of the National Banking Laws of the United States, thereby saving twenty-seven million dollars in gold, per annum, on the bonds held by the Secretary of the Treasury to secure the redemption of the National Bank currency, which is detrimental to the best interests of the country; whereas it is the duty of Congress to pass such laws as will enable the Secretary of the Treasury of the United States to issue legal tender notes sufficient to retire the National Bank currency; therefore, be it*

*Resolved by the Senate, the House of Representatives concurring, That our Senators are instructed and Representatives in Congress are requested to use their utmost endeavors to accomplish the unconditional repeal of the present National Banking System, and the passage of the necessary laws to enable the Secretary of the Treasury to issue legal tender notes sufficient to retire the National Bank currency of the United States.*

Mr. Crews (by unanimous consent) offered the following resolution ; which was laid over under the rule :

*Resolved*, That in addition to the regular standing committees of the Senate there shall be added a committee to be known and designated as the "Committee on Encroachment of Public Expenditures," to consist of seven members, to be appointed by the President of the Senate.

The following resolution of the House of Representatives was taken up, and,

On motion of Mr. Nicholson,

Referred to the committee on roads, highways and bridges :

*WHEREAS*, the people of the State are very anxious to be informed as to the road law enacted by this Assembly ; therefore, be it

*Resolved by the House of Representatives, the Senate concurring herein*, That the Secretary of State be and he is hereby authorized to have printed, in suitable pamphlet form, 12,000 copies of the road law enacted by this Assembly for counties under township organization, and 5,000 copies of the road law for counties not under township organization, to be by him distributed, in sufficient numbers, among the various counties aforesaid.

The following resolution of the House of Representatives was taken up, and,

On motion of Mr. Waite,

Referred to the committee on roads, highways and bridges :

*Resolved by the House of Representatives, the Senate concurring herein*, That the Secretary of State be and he is hereby instructed to distribute to each member of the 38th General Assembly ten copies of the road laws, for distribution in his district.

The following resolution of the House of Representatives was taken up, and,

On motion of Mr. Cummings,

Ordered referred to the committee on judiciary :

*Resolved by the House of Representatives, the Senate concurring*, That Congress be requested to offer an amendment to the Constitution of the United States, in substance, as follows : Declaring all railways in this United States public highways, and authorize Congress to establish and control inter-state or through rates of charges for the transportation of persons and property thereon, and declaring that the provisions of the Federal Constitution, in section 10, page 1, which says that no State shall pass any *ex post facto* law or laws impairing the obligation of contracts, shall be construed to prohibit any State from regulating the local rates of freight and passenger fares within the State.

Mr. Cummings (by unanimous consent) called from the table the resolution of the House of Representatives relating to the continuing of the joint committee on revision, and the consideration of revision bills.

On motion of Mr. Hinchcliffe,

The further consideration of the resolution was postponed until Monday, January 19th, at 11 o'clock A. M.

House message on Senate bill, No. 173, for "An act to provide for registration in case of special elections," was taken up, and,

On motion of Mr. Waite,

The bill was ordered referred to the committee on elections.

Mr. Hinchcliffe (by unanimous consent) called up the following resolution :

*Resolved*, That all revision bills shall be taken up and considered in their numerical order, and it shall not be competent to call up any such bill out of its numerical order.

Mr. Sanford offered the following amendment to the resolution :

Amend by striking out all after the word "Resolved," and insert, "That the revision bills now on file in the Senate be considered and acted upon, so far as practicable, in their numerical order."

Mr. Crews offered the following amendment to the amendment :

Amend the amendment by striking out the words, "so far as possible."

Mr. Canfield moved to postpone the further consideration of the resolution and amendments until Friday, January 16th, at 2:30 o'clock P. M.

Mr. Baldwin moved to amend the motion by inserting Tuesday, January 13th, in place of Friday, January 16th ; which amendment was adopted.

And the question being, "Shall the motion, as amended, be adopted?" it was decided in the affirmative.

On motion of Mr. Cusey.

The Senate, at 12:25 o'clock P. M., adjourned until 2:30 o'clock P. M.

### TWO-THIRTY O'CLOCK, P. M.

Senate met, pursuant to adjournment.

By unanimous consent, and,

On motion of Mr. Brooks,

Senate bill, No. 498, for "An act to amend an act entitled 'an act to exempt the homestead from forced sale and to provide for setting off the same, and to exempt certain personal property from attachment and sale on execution, and from distress for rent,'"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Brooks,

Referred to the committee on judiciary.

On motion of Mr. Cummings,

The rules were suspended, and bills on second reading, by sections, were ordered taken up for consideration.

Senate bill, No. 311, for "An act to provide for and regulate public printing,"

Was taken up for consideration by sections, and,

On motion of Mr. Canfield,

It was ordered referred to the joint committee on revision.

Senate bill, No. 192, for "An act regulating the labor of the convicts of the penitentiary of the State,"

Was taken up for consideration by sections.

Section 1 of the bill was adopted, and the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 403, for "An act to revise the law in relation to liens,"

Was taken up for consideration by sections.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 were adopted.

Mr. Canfield offered the following amendment:

Amend section 11, by striking out the last sentence in lines 3 and 4.

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Canfield, Cummings, Donahue, Greene, Hampton, Hinchcliffe, Hundley, Kelly, McGrath, Nicholson, Palmer, Patterson, Sterne, Waite, Ware, Warren, Whiting, Youngblood, Mr. President—22.

Those voting in the negative are,

Messrs. Burke, Castle, Jacobs, Sanford, Sheldon, Steele, Strong, Upton, Yager—9.

Mr. Steele offered the following amendment, which was adopted:

Amend by striking out section 11.

Sections 12, 13, 14, 15, 16 and 17 were adopted.



Mr. Burke offered the following amendment, which was lost :

Amend by striking out section 18.

Sections 18, 19 and 20 were adopted.

Mr. Archer offered the following amendment, which was lost :

Amend by striking out section 21.

Sections 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31 were adopted.

Mr. Brooks offered the following amendment:

Amend section 32 by striking out the word "twenty" wherever it occurs in the section, and insert in lieu thereof the word "sixty."

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote :

Those voting in the affirmative are,

Messrs. Brooks, Brown, Castle, Jacobs, Kelly, McGrath, Sheldon, Strong, Youngblood—9.

Those voting in the negative are,

Messrs. Archer, Baldwin, Burke, Canfield, Cummings, Cusey, Green, Hampton, Hinchcliffe, Nicholson, Palmer, Sanford, Steele, Upton, Waite, Ware, Warren, Whiting—18.

Sections 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49 and 50 were adopted.

Mr. Sheldon offered the following amendment, which was lost :

Add to section 51 : " *Provided*, that the party entitled to a lien by this section and sections 49 and 50 shall establish their lien by proceedings in some court of competent jurisdiction within three months after such charges shall become due and payable."

Sections 51 and 52 were adopted.

Mr. Archer moved to reconsider the vote whereby section (13) thirteen was adopted.

And the question being, "Shall the Senate reconsider the vote whereby the section was adopted?" it was decided in the negative.

On motion of Mr. Upton,

The vote whereby section 50 was adopted was reconsidered.

Mr. Upton offered the following amendment, which was adopted :

Amend section 50 by inserting after word "keepers" the words "and other persons," and add to section the words "or person having possession thereof."

Section 50 as amended was adopted.

Mr. Waite moved to reconsider the vote whereby section 26 was adopted.

And the question being, "Shall the vote whereby the section was adopted be reconsidered?" it was decided in the negative.

Mr. Burke moved to reconsider the vote whereby section 18 was adopted.

Mr. Youngblood moved to recommit the bill to the committee on revision ; which motion was decided in the negative.

And the question being, "Shall the vote whereby section 18 was adopted be reconsidered?" it was decided in the negative.

On motion of Mr. Whiting,

The vote whereby section 51 was adopted was reconsidered.

Mr. Whiting offered the following amendment, which was adopted :

Amend section 51 by striking out the words "or feeding cattle," and insert "feeding or pasturing domestic animals."

Section 51 as amended was then adopted.

On motion of Mr. Archer,

The vote whereby section 32 was adopted was reconsidered.

Mr. Brooks offered the following amendment, which was adopted:

Strike out "twenty" where it occurs in section 32, and insert in lieu thereof the word "thirty."

Section 32 as amended was then adopted.

Mr. Waite (by unanimous consent) offered the following amendment, which was adopted:

Strike out the word "thirty" in first line of section 10, and also in section 40, and insert in lieu thereof the number which the present section "30" will take on engrossment.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 435, for "An act to amend section 1 of an act entitled 'an act concerning circuit courts, and to fix the times for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook,' approved May 2, 1873."

At 4:25 o'clock P. M., Mr. Archer moved to adjourn.

And the question being, "Shall the Senate adjourn?" it was decided in the negative.

Senate bill, No. 419, for "An act to authorize persons owning personal property, upon which there is owing the whole or any part of the purchase money thereof, to deduct the sums owing thereon from the valuation of such property in assessing the same for taxation," was taken up for consideration by sections.

Pending the consideration of which,

On motion of Mr. Youngblood,

The Senate, at 4:30 o'clock P. M., adjourned.

TUESDAY, JANUARY 13, 1874—10 O'clock A. M.

The Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Paynter,

The journal of yesterday was being read, when,

On motion of Mr. Crews,

The further reading of the same was dispensed with.

On motion of Mr. Murphy,

The rules were suspended, and Senate bill, No. 485, for "An act to authorize the board of commissioners, elected in pursuance of article ten, section six (6), of the Constitution, to perform the powers and duties heretofore devolving upon the county courts in the transaction of county business in counties not under township organization," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 35, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Canfield, Castle, Crews, Cummings, Cusey, Glenn, Green, Hampton, Hinchcliffe, Hundley, Jacobs, Kelly, Murphy, Nicholson, Palmer, Patterson, Sanford, Sheldon, Starnes, Steele, Strong, Thompson, Upton, Voria, Waite, Ware, Warren, Whiting, Youngblood, Mr. President—35.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and having received a vote of two-thirds of the members elected, was declared passed.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Ware presented a petition relating to collection of taxes; which, on his motion, was referred to the committee on revenue.

Mr. Youngblood moved to suspend the rules for the purpose of considering the following resolution offered by him on January 8, 1874:

*Resolved by the Senate, the House of Representatives concurring herein, That when this General Assembly adjourns on Friday, the 20th day of February next, it stand adjourned sine die.*

The question being, "Shall the rules be suspended for the purpose of considering the resolution?" and the yeas and nays being demanded, it was decided in the negative by the following vote—two-thirds not voting in the affirmative:

Those voting in the affirmative are,

Messrs. Archer, Brooks, Brown, Burke, Castle, Cummings, Glenn, Green, Hampton, Hundley, Jacobs, Kehoe, Kelly, Murphy, Nicholson, Starnes, Thompson, Waite, Ware, Warren. Youngblood—21.

Those voting in the negative are,

Messrs. Baldwin, Canfield, Crews, Cusey, Palmer, Patterson, Sanford, Sheldon, Steele, Strong, Whiting, Mr. President—12.

Mr. Burke (by unanimous consent) offered the following resolution:

*Resolved.* That the State Board of Charitable Institutions be and they are hereby requested to report to the Senate whether they cannot devise some plan, and find some place in the many Insane Asylums in the State, where the incurable insane can be accommodated and cared for without cost or charge to relations or friends, and that the Secretary of the Senate furnish the chairman of said committee with a copy of this resolution.

On motion of Mr. Burke,

The rules were suspended for the purpose of considering the resolution.

And the question being, "Shall the resolution be adopted?" it was decided in the affirmative.

Mr. Greene (by unanimous consent) called up the following resolution, offered by him January 10, 1874:

*Resolved.* That all bills reported by the Committee on Revision be read by sections on their second reading, and discharged from the further order of reading by sections.

And the question being, "Shall the resolution be adopted?" it was decided in the affirmative.

The President announced, as order of business, Senate bills on second reading.

Mr. Canfield moved to suspend the rules for the purpose of considering bills on second reading by sections.

The question being, "Shall the rules be suspended?" and the yeas and nays being demanded, it was decided in the negative by the following vote—two-thirds not voting in the affirmative:

Those voting in the affirmative are,

Messrs. Archer, Brooks, Burke, Canfield, Crews, Green, Hampton, Hinchcliffe, Jacobs, Kehoe, McGrath, Nicholson, Patterson, Sanford, Sheldon, Thompson, Waite, Warren, Yager—19.

Those voting in the negative are,

Messrs. Baldwin, Canfield, Cummings, Glenn, Kelly, Palmer, Starnes, Strong, Voris, Ware, Whiting, Youngblood—12.

Senate bill, No. 441, for "An act to revise the law in relation to county clerks,"

Was taken up and read at large second time.

Mr. Crews offered the following amendment, which was lost :

Amend section 2 by adding after the word "sufficient," in 2d line, the words "in the sum of not less than \$5,000."

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. McGrath, from the joint committee on enrolled bills, begs leave to report that a bill of the following title has been correctly enrolled, on the 12th day of January, 1874 :

Senate bill, No. 435, for "An act to amend section 1 of an act entitled 'an act concerning circuit courts, and to fix the time for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook,'"

Mr. McGrath, from the joint committee on enrolled bills, begs leave to report that a bill of the following title has been correctly enrolled, and, on the 12th day of January, 1874, laid before the Governor for his approval, to-wit :

Senate bill, No. 435, for "An act to amend section 1 of an act entitled 'an act concerning circuit courts, and to fix the time for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook.'"

A message from the House of Representatives, by Mr. Magie :

Mr. President : I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, to-wit :

House bill, No. 634, for "An act to amend section forty-four (44) of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees?'"

In the passage of which I am instructed to ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Magie :

Mr. President : I am directed to inform the Senate that the House of Representatives has adopted the following resolution, to-wit :

WHEREAS one Williams, a late convict in the State Penitentiary, recently came to a sudden and unnatural death, caused, as currently reported, by improper treatment by the officers of said penitentiary, in whose charge he was; and, whereas, there are, also, charges and reports that the discipline and punishments of the convicts in said penitentiary are unreasonably severe, and even cruel; therefore,

Resolved by the House of Representatives, the Senate concurring herein, That a select committee of five, three from the House and two from the Senate, to be appointed by the Speaker of the House and President of the Senate, respectively, be appointed to thoroughly investigate and inquire in regard to the treatment and cause of death of said Williams, and in regard to the discipline and punishments of said convicts; and that said committee have power to visit said penitentiary and to send for persons, books and papers, and that it report to this General Assembly, with all convenient speed, the result of such investigation and inquiry.

In the adoption of which I am instructed to ask the concurrence of the Senate.

Senate bill, No. 442, for "An act to revise the law in relation to clerks of courts,"

Was taken up and read at large a second time.

Mr. Crews offered the following amendment, which was lost :

Amend section 4, by striking out in 5th line the words "in the penal sum of \$5,000."

Mr. Sanford offered the following amendment, which was lost :

Amend section 4, by striking out of line 5 thereof, the word "five," and insert the word "eight."

Mr. Waite offered the following amendment :

Amend section 4, by striking out the words "shall be in the penal sum of \$5,000," and insert the following words : "in such penalty, not less than \$5,000, as may be required by such judge or judges."

Mr. Crews offered the following amendment to the amendment, which was lost :

Amend the amendment by inserting "ten," instead of "five."

And the question then being, "Shall the amendment be adopted?" it was decided in the affirmative.

Mr. Sheldon offered the following amendment, which was adopted :

Amend section 23, 1st line, by inserting after the word "authorized," as follows, "upon filing petition and giving proper bond."

Mr. Waite offered the following amendment :

Amend section 16, by striking out, in line 10, the words "name and date of filing of each paper in the case."

And following line 7, in the blank form, amend by striking out the words "papers filed, and date of filing," and the column in which said words are contained.

Pending the consideration of the amendments,

On motion of Mr. Cusey,

The Senate, at 12:30 o'clock P. M., adjourned to 2:30 o'clock P. M.

#### TWO-THIRTY O'CLOCK P. M.

The Senate met, pursuant to adjournment.

The President announced the time for the special order, being the consideration of the following resolution and amendments :

*Resolved*, That all revision bills shall be taken up and considered in their numerical order, and it shall not be competent to call up any such bill out of its numerical order.

Amendment offered by Mr. Sanford :

Amend by striking out all after the word "Resolved," and insert : "That the revision bills now on file in the Senate, be considered and acted upon, so far as practicable, in their numerical order."

Amendment to amendment offered by Mr. Crews :

Amend amendment by striking out the words "so far as practicable."

On motion of Mr. Hampton,

The consideration of the special order was postponed until Tuesday, January 20, 1874, at 2:30 o'clock P. M.

The President announced as the order of business the consideration of Senate bill, No. 442, for "An act to revise the law in relation to clerks of courts."

The pending question being, "Shall the amendment offered by Mr. Waite be adopted?" it was decided in the affirmative.

Mr. Sanford offered the following amendment, which was lost :

Amend section 23 by inserting after the word "administration" the words "or of guardianship."

Mr. Ware offered the following amendment, which was lost :

Amend by striking out section 23.

Mr. Cusey offered the following amendment, which was adopted :

Add after the word "witness," in 31st line, section 16, the words "having claimed his attendance during the term."

And the question then being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Yager (by unanimous consent) introduced Senate bill, No. 499, for "An act to amend an act entitled 'an act to amend the statute relating to partitions.'"

Which was ordered to a first reading.

Mr. Glenn (by unanimous consent) introduced Senate bill, No. 500, for "An act to provide for the payment of the railroad debts of counties, townships, incorporated cities and towns."

Which was ordered to a first reading.

Mr. Steele (by unanimous consent) introduced Senate bill, No. 501, for "An act to amend an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' approved March 29, 1872."

Which was ordered to a first reading, and,

On motion of Mr. Steele,

Referred to the committee on fees and salaries.

On motion of Mr. Steele,

The rules were suspended, and Senate bill, No. 258, for "An act in regard to the action of account," was taken up for consideration by sections, and,

The pending question being, "Will the Senate adopt the amendments reported by the committee on judiciary?" it was decided in the affirmative.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13, were adopted.

Mr. Archer offered the following amendment, which was lost:

Amend section 14 as follows: Strike out all after the word "record," in line 4, and insert in lieu thereof the following, "by publication of notice of time and place of such hearing for four consecutive weeks in some public newspaper published in the county where such hearing may be had, or if no newspaper be published in said county, then in the nearest newspaper thereto published in this State."

Sections 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23, were adopted.

On motion of Mr. Cummings,

The vote whereby the amendments reported by the committee on judiciary were adopted, was reconsidered.

Mr. Cummings offered the following amendment to the report of the committee, which was adopted:

Strike out that portion of the report which strikes section 17 out of the bill.

The report of the committee as amended was then adopted.

On motion of Mr. Canfield,  
The vote whereby section 23 was adopted, was reconsidered.  
Mr. Canfield offered the following amendment, which was adopted :  
Amend by striking out section 23.

On motion of Mr. Crews,  
The vote whereby section 2 was adopted, was reconsidered.  
Mr. Crews offered the following amendment, which was lost :  
Amend by striking out sub-division 6 of section 2.  
Section 2 was re-adopted.

Mr. Donahue offered the following amendment :  
Amend by striking out the enacting clause of the bill.

On motion of Mr. Sheldon,  
The previous question was ordered.  
The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Crews, Donahue, Jacobs, Ware—5.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Burke, Canfield, Castle, Cummings, Glenn, Green, Hampton, Kelly, McGrath, Nicholson, Palmer, Patterson, Sanford, Sheldon, Steele, Strong, Thompson, Upton, Voris, Waite, Warren, Whiting, Mr. President—25.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, *January 13, 1874.*

*To the Honorable the Senate :*

I have the honor to ask the concurrence of the Senate in the following appointments of public administrators, made since the adjournment of the Senate, on the 6th of May, A. D. 1873, viz :

James W. Boggs, appointed May 7, for Mason county, vice E. F. R. Cochrane removed from office.

Quincy McNeil, appointed July 16, for Rock Island county, to fill vacancy.

James C. Luckey, appointed July 26, for Ogle county, to fill vacancy.

William A. Symonds, appointed November 17, for Hancock county, vice Geo. W. Bachelder resigned.

Frank Meyers, appointed December 2, for Sangamon county, vice J. M. Morse, removed from county.

William A. Goodrich, appointed December 20, for Christian county, to fill vacancy.

JOHN L. BEVERIDGE,  
*Governor.*

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed :

Senate bill, No. 360, substitute for "An act in regard to forcible entry and detainer."

Senate bill, No. 486, for "An act to repeal an act entitled 'an act to establish a court of common pleas in the city of Amboy,' approved March 11, 1869."

Senate bill, No. 334, for "An act relative to property conveyed, devised or bequeathed to the State in trust for charitable purposes."

A message from the Governor, by Philo J. Beveridge, Private Secretary :

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed a bill of the following title, to-wit :

Senate bill, No. 435, for "An act to amend section one of an act entitled 'an act concerning circuit courts, and to fix the times for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook,' approved May 2, 1873."

By unanimous consent, the rules were suspended, and,

On motion of Mr. Donahue,

Senate bill, No. 497, for "An act to prevent fraudulent issue of railroad stock and bonds," was ordered printed.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly engrossed :

Senate bill, No. 192, for "An act regulating the labor of the convicts of the penitentiary of the State."

By unanimous consent the rules were suspended, and,

On motion of Mr. Palmer,

Senate bill, No. 433, for "An act to extend the jurisdiction of county courts and to repeal an act entitled 'an act to increase the jurisdiction of county courts,' approved April 5, 1873,"

Was taken from the order of bills on consideration by sections and referred to the committee on judiciary.

Mr. McGrath (by unanimous consent) introduced Senate bill, No. 502, for "An act to authorize the legislative authority of any city in this State having over two hundred thousand inhabitants to use any money standing to the credit of any city fund, either general or special, to meet the demands on any other city fund in which there may be a deficiency."

Which was ordered to a first reading.

On motion of Mr. McGrath,

The rules were suspended, and the bill was read at large a first time and ordered to a second reading.

The President presented the following :

I hereby appoint Albert D. Ray and John H. Bolland as pages of the Senate from this date, January 10, 1874.

JOHN EARLY, *President*.

Senate bill, No. 443, for "An act to revise the law in relation to the supreme court,"

Was taken up and read at large a second time.

Mr. Waite offered the following amendment:

Amend section 3, line 7, by adding after the word "September" the following words: "1874, and after the year 1874 on the first Tuesday of April."

Mr. Waite moved to postpone the further consideration of the pending bill and amendment until Friday, January 16, 1874, immediately after the reading of the journal; which motion was decided in the negative.

On motion of Mr. Casey,

The previous question was ordered.

And the question being "Shall the amendment be adopted?" it was decided in the negative.



And the question being "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

On motion of Mr. Cusey,  
The Senate, at 4:15 o'clock P. M., adjourned.

WEDNESDAY, JANUARY 14, 1874—10 O'Clock A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Paynter.

The journal of yesterday was being read, when,

On motion of Mr. Crews,

The further reading of the same was dispensed with.

Mr. Waite (by unanimous consent), from the committee on counties and township organization, to which was referred Senate bill, No. 438, for "An act to repeal an act entitled 'an act to provide for the election of additional supervisors in the county therein named,'" reported the same back and recommended its passage.

The report of the committee was concurred in and the bill ordered on file for a second reading, and,

On motion of Mr. Nicholson,

The rules were suspended and the bill was read at large a second time and ordered on file to be considered by sections, and,

On motion of Mr. Nicholson,

The rules were further suspended and the bill was discharged from further consideration by sections, and,

The question then being "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

On motion of Mr. Glenn,

The rules were suspended and Senate bill, No. 500, for "An act to provide for the payment of the railroad debts of counties, townships, incorporated cities and towns,"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Glenn,

Referred to the committee on judiciary.

The President presented the following:

I hereby announce the following appointments upon the standing committees of the Senate:

Senator Kelly upon the committee on roads and bridges in place of Senator Brooks resigned from said committee; also, Senator Kelly upon the committee on expenses of the general assembly, mines and mining, and federal relations, in place of Hon. Geo. W. Burns, resigned from the Senate.

Also, Senator Patterson upon the committee on geology and science, in place of Senator Green, resigned from said committee.

Also, Senator Strong upon the committee on enrolled and engrossed bills, in place of Senator Yager, resigned from said committee.

Also, Senator Green upon the committee on municipalities, in place of Hon. Geo. W. Burns, resigned from the Senate.

Also, Senator Baldwin upon the committee on revenue, in place of Hon. George W. Burns, resigned from the Senate; also, Senator Castle

upon the committee on revenue, in place of Senator Short, resigned from said committee.

JOHN EARLY, *President*.

Mr. Youngblood (by unanimous consent) introduced Senate bill, No. 503, for "An act to provide for the incorporation of institutions of learning above the grade of common schools."

Which was ordered to a first reading, and,

On motion of Mr Youngblood, .

The rules were suspended, the bill was read at large a first time and ordered to a second reading, and referred to the committee on education.

The President announced as the order of business Senate bills on second reading.

Senate bill, No. 444, for "An act to revise the law in relation to circuit courts and the superior court of Cook county," was taken up and read at large a second time.

Mr. Sheldon offered the following amendment, which was lost:

Amend by striking out section 23.

Mr. Thompson offered the following amendment which was adopted:

Amend section 23 by adding after the word "section," in the second line, the words "except in cases of interchange with each other."

Mr. Sanford offered the following amendment, which was adopted:

Amend section 23 by inserting after the word "court," in the third line, the words, "in their discretion."

Mr. Crews offered the following amendment, which was lost:

Amend by inserting after the word "district," in second line, the words, "in counties having a population exceeding two hundred thousand inhabitants."

Mr. Ware offered the following amendment, which was adopted:

Amend section 13 by striking the word "ten" from the second line, and insert in lieu thereof the word "twenty."

Mr. Ware offered the following amendment, which was adopted:

Amend section 14 by inserting after the word "also," in first line, the words, "twenty days before commencement of such special term."

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Palmer (by unanimous consent) offered the following resolution:

WHEREAS, Hon. J. C. Short has signified that he would be absent during the greater part of the time during the present session; therefore,

Resolved by the Senate, That his name be stricken from the committees wherever the same occurs, and that the committees be filled by the President of the Senate.

On motion of Mr. Palmer,

The rules were suspended for the purpose of considering the resolution.

On motion of Mr. Yager,

The resolution was referred to the committee on miscellany.

On motion of Mr. Waite,

The rules were suspended, and House bill, No. 634, for "An act to amend section forty-four of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to

population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees," approved March 20, 1872,"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Waite,

Referred to the committee on fees and salaries.

Mr. Murphy (by unanimous consent) introduced Senate bill, No. 504, for "An act to repeal an act entitled 'an act in regard to the assessment of property and the levy and collection of taxes by incorporated cities in this State,' approved April 15th, 1873."

Which was ordered to a first reading, and,

On motion of Mr. Murphy,

The rules were suspended, and the bill was read at large a first time, ordered to a second reading, and referred to the committee on revenue.

On motion of Mr. Cusey,

The rules were suspended, and Senate bill, No. 493, for "An act to amend an act entitled 'an act in regard to roads and bridges in counties under township organization,'"

Was taken up and read at large a second time, and ordered on file to be considered by sections, and,

On motion of Mr. Cusey,

The rules were suspended, and the bill was discharged from consideration by sections, and ordered engrossed and printed for a third reading.

Senate bill, No. 445, for "An act to revise the law in relation to the criminal court of Cook county,"

Was taken up and read at large a second time.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

On motion of Mr. Kehoe,

The Senate, at 12:10 o'clock P. M., adjourned until 2:30 o'clock P. M.

TWO-THIRTY O'CLOCK P. M.

Senate met, pursuant to adjournment.

Mr. Hampton (by unanimous consent), from the committee on miscellany, to which was referred the following resolution:

WHEREAS, the United States Centennial Commission has requested the appointment, in each State, of a "State Board of Managers," to represent their respective States at the International Exhibition, to be held in the city of Philadelphia in 1876; therefore,

Resolved by the Senate, the House of Representatives concurring herein, That the Governor be and is hereby authorized to appoint a "State Board of Managers," consisting of five members, to represent the interests of this State at the International Exhibition to be held at the city of Philadelphia in 1876; and the Governor is also hereby authorized to require said "State Board of Managers," annually, to report to him their proceedings on or before the first of January, to be by him submitted to the General Assembly.

Reported the same back, and recommended that it lie on the table.

The report of the committee was concurred in, and the resolution laid on the table.

Mr. Hampton, from the committee on miscellany, reported the following resolution, and recommended its adoption :

WHEREAS, the United States Centennial Commission has requested the appointment in each State of a "State Board of Managers," to represent their respective States at the International Exhibition to be held in the city of Philadelphia in 1876; therefore,

*Resolved by the Senate, the House of Representatives concurring herein.* That the Governor be and is hereby authorized to appoint a "State Board of Managers," consisting of seven members, two of whom shall be the U. S. Centennial Commissioner and alternate heretofore appointed to represent the interests of this State at the International Exhibition to be held at the city of Philadelphia in 1876. And the Governor is also hereby authorized to require said "State Board of Managers," annually, to report to him their proceedings on or before the first of January, to be by him submitted to the General Assembly: *Provided*, that said Board of Managers shall not incur any expense, personal or otherwise, on behalf of the State.

On motion of Mr. Cummings,

The report of the committee was ordered printed, and the further consideration of the same was postponed to and made the special order for Tuesday, January 20th, 1874, at 2:30 o'clock P. M.

Mr. Yager (by unanimous consent) introduced Senate bill, No. 505, for "An act to amend an act entitled 'an act to organize and regulate the business of life insurance,'"

Which was ordered to a first reading, and,

On motion of Mr. Yager,

The rules were suspended, and the bill was read at large a first time, ordered to a second reading, and, referred to the committee on insurance.

Senate bill, No. 446, for "An act to fix the terms of court of Cook county,"

Was taken up and read at large a second time.

And the question being "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 447, for "An act to revise the law in relation to county courts,"

Was taken up and read at large a second time.

Mr. Sanford offered the following amendment:

Amend by striking out section 6, and inserting the following in lieu thereof:

"The county courts shall also have concurrent jurisdiction with circuit courts, in their respective counties, in suits at law, except cases involving title to lands when the amount or value of the property in controversy does not exceed five hundred dollars; in proceedings concerning bastards; in misdemeanors and crimes where the punishment is by fine and imprisonment, or either, other than imprisonment in the penitentiary (provided this act shall not be construed as affecting the jurisdiction of justices of the peace in criminal cases, or of the criminal court of Cook county); and concurrent jurisdiction in appeals from justices of the peace and police magistrates, and such other jurisdiction as is or may be provided by law—all of which shall be cognizable at the law terms hereinafter mentioned.

"Section 6½. The terms of the county court for probate matters shall commence on the third Monday of each month during the year, except the months of January, April, July, and October. The law terms of said court shall commence on the third Monday of January, April, July, and October in each year."

On motion of Mr. Cummings,

Debate was ordered closed on the pending amendment.

The question being "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Castle, Cusey, Glenn, Hampton, Hundley, Kehoe, Kelly, McGrath, Nicholson, Sanford, Sheldon, Strong, Ware, Yager—17.

Those voting in the negative are,

Messrs. Burke, Canfield, Crews, Cummings, Donahue, Green, Jacobs, Murphy, Patterson, Starnes, Steele, Thompson, Upton, Warren, Whiting, Youngblood, Mr. President—17.

On motion of Mr. Starnes,

The further consideration of the pending bill was postponed to and made the special order for Wednesday, January 21st, 1874, at 11 o'clock A. M.

Mr. Nicholson (by unanimous consent) offered the following resolution:

*Resolved by the Senate,* That Senator Cummings be added to the committee on revenue.

On motion of Mr. Donahue,

The rules were suspended and the resolution was taken up for consideration.

The question being "Shall the resolution be adopted?" it was decided in the affirmative.

Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," was taken up for a second reading.

Pending the reading of the same,

On motion of Mr. Crews,

The Senate, at 4:45 o'clock P. M., adjourned.

THURSDAY, JANUARY 15, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by the Rev. Mr. Paynter.

The journal of yesterday was being read, when,

On motion of Mr. Glenn,

The further reading of the same was dispensed with.

On motion of Mr. Burke,

Leave of absence was granted Mr. Casey until afternoon.

Mr. Upton (by unanimous consent), from the committee on revision, to which was referred bills of the following titles, reported the same back and recommended that they be laid on the table, the subject matter of said bills being embraced in other bills prepared by said committee:

House bill, No. 546, for "An act requiring boards of trustees, commissioners, treasurers, and other officers having control of the finances of public institutions to give bonds for the faithful performance of their duties."

House bill, No. 263, for "An act concerning the publication of legal notices."

House bill, No. 399, for "An act to amend an act entitled 'an act in regard to forcible entry and detainer,' approved April 10, 1872."

House bill, No. 532, for "An act to define the duties of the Attorney General in certain cases."

The report of the committee was concurred in, and the bills were ordered to lie on the table.

Mr. McGrath, from committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed:

Senate bill, No. 441, for "An act to revise the law in relation to county clerks."

Senate bill, No. 403, for "An act to revise the law in relation to liens."

Senate bill, No. 446, for "An act to fix the terms of the courts of Cook county."

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to lay before the Senate the following written communication:

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 15, 1874.

*To the Honorable the Senate:*

I have the honor to nominate and appoint, as public administrator for Wabash county, Sylvester Greathouse, in place of William B. Ridgeway, resigned; and in this appointment I ask your concurrence.

JOHN L. BEVERIDGE,  
*Governor.*

By the Governor:

PHILO J. BEVERIDGE, *Private Sec'y.*

Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence,"

Was taken up, and the second reading at large of the same was being proceeded with, when,

Mr. Crews, at 12:15 o'clock P. M., moved that the Senate adjourn until 2:30 o'clock P. M.

And the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Crews, Cusey, Donahue, Ferrell, Green, Gundlach, Hampton, Henry, Hundley, Kehoe, McGrath, Palmer, Reynolds, Sanford, Starne, Thompson, Warren, Whiting, Wilcox, Youngblood—21.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Burke, Castle, Cummings, Cunningham, Glenn, Jacobs, Kelly, Murphy, Patterson, Shepard, Steele, Waite, Williamson, Yager, Mr. President—17.

TWO-THIRTY O'CLOCK, P. M.

Senate met, pursuant to adjournment.

The consideration of Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," was resumed, and the second reading of the same at large was concluded.

Mr. Steele offered the following amendment, which was adopted:

Amend section 14, division 1, by inserting in the second line, after the word "burned," the words "or set on fire."

Mr. Steele offered the following amendment, which was adopted:

Amend section 11, division 14, by inserting after the word "except" the words "murder, manslaughter."

Mr. Yager offered the following amendment, which was adopted :

Amend section 265 by striking out the word "eighteen" in the eleventh line and inserting the word "sixteen" in lieu thereof.

On motion of Mr. Archer,

The further consideration of the bill was postponed to and made the special order for (and to be continued as the special order from day to day until disposed of) to-morrow, at 11 o'clock A. M.

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 485, for "An act authorizing the board of county commissioners elected in pursuance of article 10, section 6, of the constitution, to perform the powers and duties heretofore devolving upon the county courts in the transaction of county business in counties not under township organization," with an amendment.

In the adoption of which amendment I am instructed to ask the concurrence of the Senate.

On motion of Mr. Yager,

The rules were suspended, and House message on Senate bill, No. 485, for "An act authorizing the board of county commissioners elected in pursuance of article 10, section 6, of the constitution, to perform the powers and duties heretofore devolving upon the county courts, in the transaction of county business, in counties not under township organization," was taken up.

The question being, "Shall the Senate concur in the adoption of the following amendment of the House of Representatives to the bill?"

"Add to the bill an additional section, to be numbered nine :

"§ 9. All acts heretofore done by boards of county commissioners which might have been done by county courts in counties in which the said courts have not continued to do the business of said counties, are hereby legalized."

And the Senate concurred by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Canfield, Casey, Castle, Crews, Cummings, Cunningham, Cusey, Donahue, Ferrell, Glenn, Hampton, Hundley, Kelly, Lee, McGrath, Murphy, Palmer, Patterson, Reynolds, Sheldon, Starne, Strong, Thompson, Waite, Ware, Warren, Whiting, Wilcox, Williamson, Yager, Youngblood, Mr. President—38.

Messrs. Archer and Gundlach voted in the negative.

Mr. Murphy (by unanimous consent) offered the following resolution :

*Resolved by the Senate, the House of Representatives concurring herein,* That the Secretary of State be requested to send certified copies of Senate bill, No. 485, to the clerk of the county court of each county in this State, not under township organization, at as early a day as practicable.

On motion of Mr. Waite,

The rules were suspended for the purpose of considering the resolution.

And the question being, "Shall the resolution be adopted?" it was decided in the affirmative.

Mr. Baldwin (by unanimous consent), from the committee on education, to which was referred Senate bill, No. 503, for "An act to provide for the incorporation of institutions of learning above the grade of common schools," reported the same back, and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading, and,

On motion of Mr. Youngblood,

The rules were suspended and the bill read at large a second time, and ordered on file to be considered by sections.

On motion of Mr. Youngblood,

The rules were suspended, and the bill discharged from consideration by sections.

On motion of Mr. Sanford,

The vote whereby the bill was ordered discharged from consideration by sections was reconsidered.

On motion of Mr. Waite,

The rules were suspended, and Senate bills on third reading were ordered taken up for consideration.

Senate bill, No. 292, for "An act to revise the law in relation to sheriffs, having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 38, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Canfield, Casey, Crews, Cummings, Cunningham, Cusey, Donahue, Glenn, Green, Gundlach, Hampton, Hundley, Jacobs, Kehoe, Lee, McGrath, Palmer, Sanford, Shepard, Starne, Steele, Strong, Thompson, Waite, Ware, Warren, Whiting, Wilcox, Williamson, Yager, Mr. President—38.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 293, for "An act to revise the law in relation to coroners," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 32, nays 2.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Canfield, Casey, Crews, Cummings, Cunningham, Cusey, Donahue, Glenn, Green, Gundlach, Henry, Hundley, Jacobs, Kehoe, Kelly, Lee, Palmer, Patterson, Sanford, Sheldon, Steele, Thompson, Waite, Ware, Warren, Whiting, Williamson, Yager, Mr. President.

Messrs. Archer and Starne voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Murphy (by unanimous consent) offered the following resolution :

WHEREAS, by the 8th section of the law creating a department of agriculture, approved April 17, 1871, it is provided as follows, to-wit: "That the State Board of Agriculture shall make an annual report to the Governor of the transactions of the Department of Agriculture, which said report shall include a complete classified statement of all moneys received and of all expenditures and expenses; and the Governor shall cause 10,000 copies of said report to be printed, one-half for the use of the Department of Agriculture, and the remainder for the use of the State and the General Assembly;" and, whereas, the report of said Board for the year 1873 has been published and distributed in part among the members of this General Assembly; and whereas, said report contains a great deal of matter that is foreign to the report as contemplated by the above recited act; therefore,

*Resolved by the Senate, the House of Representatives concurring herein,* That in the opinion of this General Assembly the said report is not published in accordance with the letter or spirit of the law authorizing its publication at the expense of the State.

On motion of Mr. Cummings,

The rules were suspended, and the resolution was taken up for consideration.

Mr. Cummings moved to refer the resolution to the committee on agriculture and drainage.

The question being, "Shall the resolution be referred?" and the yeas and nays being demanded, it was decided in the negative by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Cummings, Cusey, Green, Gundlach, Hampton, Jacobs, Patterson, Sanford, Waite, Warren, Whiting, Wilcox—13.

Those voting in the negative are,

Messrs. Archer, Brooks, Brown, Burke, Canfield, Casey, Crews, Cunningham, Ferrell, Glenn, Henry, Hundley, Kehoe, Kelly, Lee, McGrath, Murphy, Palmer, Reynolds, Sheldon, Starne, Steele, Thompson, Ware, Williamson, Yager, Youngblood—27.



Mr. Green moved the previous question.

And the question being, "Shall the main question be now put?" it was decided in the negative.

At 5:05 o'clock P. M., Mr. Cusey moved to adjourn.

The question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Hampton, Henry, Jacobs, McGrath, Sanford, Shepard, Steele, Thompson, Waite, Whiting, Wilcox, Williamson, Mr. President—21.

Those voting in the negative are,

Messrs. Brooks, Burke, Canfield, Casey, Crews, Cummings, Gundlach, Hundley, Kehoe, Kelly, Lee, Murphy, Palmer, Patterson, Reynolds, Sheldon, Starnes, Ware, Warren, Yager, Youngblood—21.

Mr. Reynolds moved to reconsider the vote whereby the motion to refer the resolution to the committee on agriculture and drainage was decided in the negative.

Pending which, at 5:15 o'clock P. M.,

Mr. Wilcox moved to adjourn.

The question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Canfield, Crews, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Thompson, Waite, Whiting, Wilcox, Williamson, Yager, Mr. President—26.

Those voting in the negative are,

Messrs. Archer, Brooks, Casey, Cummings, Hundley, Kehoe, Kelly, Lee, McGrath, Murphy, Palmer, Starnes, Ware, Warren, Youngblood—15.

FRIDAY, JANUARY 16, 1874—10 O'clock, A. M.

The Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Webster.

The journal of yesterday was being read, when,

On motion of Mr. Cummings,

The further reading of the same was dispensed with.

Mr. Jacobs presented a petition from board of supervisors of Ogle county, relating to the registry law; which, on his motion, was referred to the committee on revenue.

Mr. Kelly presented a petition from citizens of Quincy relating to House bill, No. 266; which, on his motion, was referred to the committee on counties and township organization.

Mr. Voris presented a petition from citizens of Windsor relating to the collection of taxes; which, on his motion, was referred to the committee on revenue.

Mr. Shepard presented a petition relating to the Institution of Feeble Minded Children, from board of supervisors of Rock Island county; which, on his motion, was referred to the committee on state charitable and educational institutions.

Mr. Kelly presented a petition from board of supervisors of Ogle county relating to the registry law; which, on his motion, was referred to the committee on elections.

Mr. Ware (by unanimous consent) introduced Senate bill, No. 506, for "An act to extend to criminal cases the rights of parties defendant to give evidence in their own behalf."

Which was ordered to a first reading.

Mr. Yager (by unanimous consent) introduced Senate bill, No. 507, for "An act to amend an act entitled 'an act to incorporate and govern fire, marine and inland navigation insurance companies doing business in the State of Illinois.'"

Which was ordered to a first reading.

On motion of Mr. Cummings,

The rules were suspended, and the bill was read at large a first time, and ordered to a second reading, and,

On motion of Mr. Yager,

The bill was referred to the committee on insurance.

Mr. Patterson (by unanimous consent) introduced Senate bill, No. 508, for "An act to amend sections 41, 42, 46, 47, 48, 49, 73, 81, 97, 98, 126, 127 of an act for the assessment of property and the levy and collection of taxes," approved March 30, 1872."

Which was ordered to a first reading, and,

On motion of Mr. Patterson,

The bill was referred to the committee on revenue.

By unanimous consent,

Senate bills on third reading were ordered taken up.

Senate bill, No. 316, for "An act to revise the law in relation to recorders," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 32, nays 7.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Casey, Castle, Cummings, Cusey, Donahue, Green, Gundlach, Henry, Hinchcliffe, Hundley, Kehoe, Kelly, Lee, McGrath, Murphy, Palmer, Patterson, Reynolds, Sanford, Shepard, Short, Steele, Strong, Thompson, Walte, Warren, Whiting, Yager, Mr. President—32.

Those voting in the negative are,

Messrs. Brown, Canfield, Crews, Glenn, Hampton, Jacobs, Starne—7.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 197, for "An act to enable purchasers of property and franchises, sold under mortgages executed by corporations in this State prior to the adoption of the present constitution, to become incorporated, hold, use and enjoy the property and franchises so mortgaged or sold," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?"

Pending which question,

On motion of Mr. Casey,

The further consideration of the bill was postponed until Monday, January 26th, 1874.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to lay before the Senate the following written communications:

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 16, 1874.

*To the Honorable the Senate :*

I have the honor to advise the Senate that on the 1st day of July, A. D. 1873, in pursuance of "An act entitled 'an act in regard to the State Reform School for Juvenile Offenders,' in force July 1st, A. D. 1873," I did appoint as Trustees of the State Reform School, the following named persons, to-wit:

Lawson A. Parks, Alton, Madison county; William Reynolds, Peoria, Peoria county; Solon Kendall, Geneseo, Henry county; Obidiah Huse, Evanston, Cook county; Joseph F. Culver, Pontiac, Livingston county.

In which appointments I respectfully ask your concurrence.

JOHN L. BEVERIDGE,

By the Governor:

Governor.

PHILO J. BEVERIDGE, *Private Sec'y.*

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 16, 1874.

*To the Honorable the Senate :*

I have the honor to advise the Senate that, on the 26th day of May, 1873, in pursuance of an act in force February 25, 1869, entitled "An act to amend an act entitled 'an act for canal and river improvements,' approved February 28, 1867," I appointed the following named gentlemen Canal Commissioners:

Joseph Utley, of Lee county, to be his own successor.

Horace G. Anderson, of Peoria county, as successor to Virgil Hickox.

W. N. Brainard, of Cook county, as successor to Robert Milne.

Each for the term of two years, from the 1st of April, 1873.

In these appointments I ask your concurrence.

JOHN L. BEVERIDGE,

By the Governor:

Governor.

PHILO J. BEVERIDGE, *Private Sec'y.*

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 16, 1874.

*To the Honorable the Senate :*

I have the honor to advise the Senate that, on the 1st day of July, A. D. 1873, in pursuance of an act entitled "An act to regulate the Illinois Industrial University, and to make appropriations therefor," in force July 1, 1873, I did appoint, as Trustees for the Illinois Industrial University, the following named persons, to-wit:

*For the Southern Grand Division*—A. M. Brown, of Villa Ridge, Pulaski county; J. P. Slade, Belleville, St. Clair county; John J. Bird, Cairo, Alexander county.

*For the Central Grand Division*—J. H. Pickerell, of Harristown, Macon county; Daniel Gardner, Champaign, Champaign county; Alexander Blackburn, Macomb, McDonough county.

*For the Northern Grand Division*—Emory Cobb, of Kankakee, Kankakee county; R. B. Mason, Chicago, Cook county; D. D. Sabin, Belvidere, Boone county.

And in these appointments I respectfully ask your concurrence.

JOHN L. BEVERIDGE,

By the Governor:

Governor.

PHILO J. BEVERIDGE, *Private Sec'y.*

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 16, 1874.

*To the Honorable the Senate:*

In pursuance of an act entitled "An act to provide for the appointment of a Board of Trustees and a Steward for the Southern Illinois Insane Asylum, and a Board of Trustees for the Southern Illinois Normal School, and to prescribe the duties of such boards of trustees and steward," in force May 2, 1873, I did appoint, on the 13th day of August, A. D. 1873, as Trustees of the Southern Illinois Insane Asylum, the following named persons:

William R. Brown, of Metropolis, Massac county; Amos Clark, Centralia, Marion county; J. C. Boyle, Sparta, Randolph county; William N. Mitchell, Marion, Williamson county; Cornwall Kirkpatrick, Anna, Union county.

In these appointments I respectfully ask your concurrence.

JOHN L. BEVERIDGE,  
Governor.

By the Governor:

PHILO J. BEVERIDGE, *Private Sec'y.*

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 16, 1874.

*To the Honorable the Senate:*

I have the honor to advise the Senate that, on the 15th day of December, A. D. 1873, I appointed James Steele, of Paris, Edgar county, Railroad and Warehouse Commissioner, to fill the vacancy occasioned by the death of Hon. H. D. Cook.

In this appointment I respectfully request your concurrence.

JOHN L. BEVERIDGE,  
Governor.

By the Governor:

PHILO J. BEVERIDGE, *Private Sec'y.*

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 16, 1874.

*To the Honorable the Senate:*

I have the honor to advise the Senate that, on the 20th day of August, 1873, I appointed as Trustees of the Illinois Institution for the Education of the Deaf and Dumb, for the term of four years, from the 1st of May, 1873, to be their own successors, the following named gentlemen, to-wit:

Robert Boal, of Peoria, Peoria county; John A. Chesnut, of Springfield, Sangamon county; William P. Barr, of Jacksonville, Morgan county.

In which appointments I respectfully ask your concurrence.

JOHN L. BEVERIDGE,  
Governor.

By the Governor:

PHILO J. BEVERIDGE, *Private Sec'y.*

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 16, 1874.

*To the Honorable the Senate:*

I have the honor to advise the Senate that, on the 20th day of August, 1873, I appointed as Trustee for the Illinois State Hospital for the In-

sane, for the term of four years, from the 1st of June, 1873, J. B. Turner, of Jacksonville, Morgan county, to be his own successor; and in this appointment I ask your concurrence.

JOHN L. BEVERIDGE,  
Governor.

By the Governor:

PHILO J. BEVERIDGE, *Private Sec'y.*

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 16, 1874.

*To the Honorable the Senate:*

I have the honor to nominate and appoint, as Trustee for the Illinois Hospital for the Insane, W. W. Sedgewick, of DeKalb county, to fill vacancy occasioned by the death of Isaac Scarritt; and in this nomination I ask your concurrence.

JOHN L. BEVERIDGE,  
Governor.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 16, 1874.

*To the Honorable the Senate:*

In pursuance of an act entitled "An act to provide for the appointment of a Board of Trustees and a Steward for the Southern Illinois Insane Asylum, and a Board of Trustees for the Southern Illinois Normal School, and to prescribe the duties of such boards of trustees and steward," in force May 2, 1873, I did appoint, on the 30th day of September, A. D. 1873, the following named persons as Trustees of the Southern Illinois Normal School:

Thomas S. Ridgeway, of Shawneetown, Galatin county; Edwin S. Russell, Mt. Carmel, Wabash county; James Roberts, Carbondale, Jackson county; L. M. Phillips, Nashville, Washington county; J. F. Wilkin, Marshall, Clark county.

In these appointments I respectfully ask your concurrence.

JOHN L. BEVERIDGE,  
Governor.

By the Governor:

PHILO J. BEVERIDGE, *Private Sec'y.*

Senate bill, No. 317, for "An act to revise the law in relation to the partition of real estate," having been printed, was read at large a third time.

Mr. Cusey moved to recommit the bill to the committee on revision; which motion was decided in the negative.

The President, at 11 o'clock A. M., announced the time for the special order, being:

Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence."

On motion of Mr. Canfield,

The further consideration of the special order was postponed until the present bill is disposed of.

And the question being "Shall this bill pass?" it was decided in the affirmative—yeas 33, nays 8.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Canfield, Casey, Castle, Cunningham, Donahue, Ferrell, Glenn, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Lee, McGrath, Murphy, Patterson, Reynolds, Sanford, Shepard, Sterne, Strong, Thompson, Voris, Ware, Warren, Wilcox, Williamson, Mr. President—33.

Those voting in the negative are,

Messrs. Crews, Cusey, Green, Kelly, Palmer, Steele, Waite, Yager—8.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The President announced the time for the special order, being the consideration of Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence."

Mr. Canfield offered the following amendment, which was adopted:

Amend section three (3), division one (1): Strike out the word "two" in the fifth (5) line and insert the word "ten" (10).

Mr. Canfield offered the following amendment, which was adopted:

Amend section three (3), division one (1), by adding the following: "And when any of the offenses in this section mentioned are committed in or upon the cars of any railroad, or in or upon any vehicle, or in or upon any watercraft navigating any of the waters of this State, so that it can not readily be determined (by the grand jury) in what county such offense was committed, the person charged therewith may be indicted in any of the counties through or along which such railroad or railroads or water course runs, or where such vehicle can reasonably be determined to have been on or near the day when such offense was committed, and the offense may be charged to have been committed in such county, and the venue so laid need not be proved, nor shall the same be traversible."

Mr. Hampton offered the following amendment, which was lost:

Amend section five (5), line four (4), by striking out "five" and inserting "three."

Mr. Casey offered the following amendment, which was adopted:

Amend section eight (8), division one (1), by striking out the word "knowingly" in the fourth line.

Mr. Wilcox offered the following amendment, which was adopted:

Amend by striking out the word "knowingly" in line one and line two of section 6, division 1.

Mr. Hampton offered the following amendment, which was adopted:

Amend section twenty-seven (27), line seven (7), division one (1), by striking out the word "neighbor" and inserting the word "person" instead thereof.

Mr. McGrath offered the following amendment, which was adopted:

Amend division one (1), section thirty-one (31), line four (4), by inserting after the words "State's attorney" the words "county attorney."

Mr. Brown offered the following amendment, which was lost:

Amend division one (1), section twelve (12), by adding after the word "presumption," in line two (2), the following: "to the exclusion of a well founded doubt."

Mr. Hampton offered the following amendment, which was adopted:

Amend section twenty-seven (27), line six (6), by inserting after the word "or" the word "any."

On motion of Mr. Palmer,

The following executive messages were ordered taken up for consideration:

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 13, 1874.

*To the Honorable the Senate :*

I have the honor to ask the concurrence of the Senate in the following appointments of public administrators, made since the adjournment of the Senate on the 6th of May, A. D. 1873, viz :

James W. Boggs, appointed May 7, for Mason county, vice E. F. B. Cochrane removed from office.

Quincy McNeil, appointed July 16, for Rock Island county, to fill vacancy.

James C. Luckey, appointed July 26, for Ogle county, to fill vacancy.

Wm. A. Symonds, appointed November 17, for Hancock county, vice George W. Bachelder resigned.

Frank Meyers, appointed December 2d, for Sangamon county, vice J. M. Morse removed from county.

William A. Goodrich, appointed December 20, for Christian county, to fill vacancy.

JOHN L. BEVERIDGE,  
*Governor.*

The question being, "Does the Senate advise and consent to the nominations just made?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Canfield, Casey, Castle, Crews, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Murphy, Palmer, Patterson, Sanford, Shepard, Sterne, Steele, Thompson, Waite, Ware, Warren, Whiting, Yager, Mr. President—38.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 15, 1874.

*To the Honorable the Senate :*

I have the honor to nominate and appoint as public administrator for Wabash county, Sylvester Greathouse, in place of William B. Ridgeway, resigned; and in this appointment I ask your concurrence.

JOHN L. BEVERIDGE,\*  
*Governor.*

By the Governor:

PHILO J. BEVERIDGE, *Private Sec'y.*

The question being, "Does the Senate advise and consent to the nomination just made?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Canfield, Casey, Castle, Crews, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Palmer, Patterson, Reynolds, Sanford, Shepard, Sterne, Steele, Waite, Ware, Warren, Whiting, Yager, Mr. President—38.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 16, 1874.

*To the Honorable the Senate :*

I have the honor to nominate and appoint as Trustee of the Illinois Hospital for the Insane, W. W. Sedgwick, of DeKalb county, to fill vacancy occasioned by death of Isaac Scarritt, and in this nomination I ask your concurrence.

JOHN L. BEVERIDGE,  
*Governor.*

The question being, "Does the Senate advise and consent to the nomination just made?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Canfield, Casey, Castle, Crews, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Murphy, Palmer, Patterson, Reynolds, Sanford, Shepard, Sterne, Steele, Waite, Ware, Warren, Whiting, Yager, Mr. President—39.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 16, 1874.

*To the Honorable the Senate :*

I have the honor to advise the Senate that on the 1st day of July, A. D. 1873, in pursuance of an act entitled "An act in regard to the State Reform School for Juvenile Offenders," in force July 1, A. D. 1873, I did appoint as Trustees of the State Reform School the following persons :

Lawson A. Parks, Alton, Madison county ; William Reynolds, Peoria, Peoria county ; Solon Kendall, Geneseo, Henry county ; Obidiah Huse, Evanston, Cook county ; Joseph F. Culver, Pontiac, Livingston county.

In which appointments I respectfully ask your concurrence.

JOHN L. BEVERIDGE,  
*Governor.*

By the Governor :

PHILO J. BEVERIDGE, *Private Sec'y.*

Mr. McGrath moved to refer the preceding nominations to the committee on reformatory institutions.

The question being, "Shall the nominations be referred?" and the yeas and nays being demanded, it was decided in the negative by the following vote :

Those voting in the affirmative are,

Messrs. Burke, Canfield, Casey, Hinchcliffe, Hundley, Kehoe, Kelly, Lee, McGrath, Murphy, Starnes, Ware, Warren—13.

Those voting in the negative are,

Messrs. Baldwin, Brown, Castle, Crews, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Jacobs, Palmer, Patterson, Reynolds, Sanford, Shepard, Waite, Whiting, Wilcox, Yager, Mr. President—24.

The question being, "Does the Senate advise and consent to the nominations just made?" it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Casey, Castle, Crews, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Jacobs, Lee, Patterson, Reynolds, Sanford, Shepard, Waite, Warren, Whiting, Wilcox, Yager, Mr. President—28.

Those voting in the negative are,

Messrs. Hinchcliffe, Kehoe, Kelly, McGrath—4.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 16, 1874.

*To the Honorable the Senate :*

I have the honor to advise the Senate that on the 15th day of December, A. D. 1873, I appointed James Steele, of Paris, Edgar county, Railroad and Warehouse Commissioner to fill the vacancy occasioned by the death of Hon. H. D. Cook.

In this appointment I respectfully request your concurrence.

JOHN L. BEVERIDGE,  
*Governor.*

By the Governor :

PHILO J. BEVERIDGE, *Private Sec'y.*

The question being, "Does the Senate advise and consent to the nomination just made?" it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Canfield, Casey, Castle, Crews, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Murphy, Palmer, Patterson, Reynolds, Sanford, Shepard, Starnes, Steele, Voris, Waite, Ware, Warren, Whiting, Wilcox, Yager, Mr. President—40.



STATE OF ILLINOIS, EXECUTIVE DEPARTMENT  
SPRINGFIELD, January 16, 1874.

*To the Honorable the Senate :*

I have the honor to advise the Senate that on the 26th day of May, A. D. 1873, in pursuance of an act in force February 25th, 1869, entitled "An act to amend an act entitled 'an act for canal and river improvement,' approved February 28th, 1867," I appointed the following named gentlemen canal commissioners :

Joseph Utley, of Lee county, to be his own successor.

Horace G. Anderson, of Peoria county, as successor to Virgil Hickox.

W. N. Brainard, of Cook county, as successor to Robert Milne, each for the term of two years from the 1st of April, 1873.

In these appointments I ask your concurrence.

JOHN L. BEVERIDGE,  
Governor.

By the Governor :

PHILO J. BEVERIDGE, *Private Sec'y.*

On motion of Mr. Starne,

It was ordered that the preceding nominations of canal commissioners be taken up separately.

The question being, "Does the Senate advise and consent to the nomination of Joseph Utley, of Lee county, as canal commissioner?" it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooke, Brown, Canfield, Casey, Castle, Crews, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Jacobs, Kehoe, Kelly, Lee, McGrath, Murphy, Palmer, Patterson, Reynolds, Sanford, Shepard, Starne, Steele, Waite, Ware, Warren, Whiting, Wilcox, Yager, Mr. President—37.

Mr. Hinchcliffe voted in the negative.

The question then being, "Does the Senate advise and consent to the nomination of Horace G. Anderson, as canal commissioner, as successor to Virgil Hickox?" it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Burke, Canfield, Castle, Crews, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Jacobs, Lee, McGrath, Palmer, Patterson, Reynolds, Sanford, Shepard, Waite, Whiting, Wilcox, Yager, Mr. President—28.

Those voting in the negative are,

Messrs. Archer, Brooks, Casey, Hinchcliffe, Hundley, Kehoe, Kelly, Murphy, Starne, Warren—10.

The question then being, "Does the Senate advise and consent to the nomination of W. N. Brainard, as canal commissioner, as successor to Robert Milne?" it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Canfield, Casey, Castle, Crews, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Jacobs, Kehoe, Lee, McGrath, Murphy, Palmer, Patterson, Reynolds, Sanford, Starne, Voris, Waite, Ware, Warren, Whiting, Wilcox, Yager, Mr. President—36.

Messrs. Hinchcliffe and Hundley voted in the negative.

A message from the Governor, by Philo J. Beveridge, Private Sec'y :

Mr. President: I am directed by the Governor to lay before the Senate the following written communication :

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 16, 1874.

*To the Honorable the Senate :*

In compliance with a resolution passed by the Senate January 8, 1874, requesting the Governor to advise the Senate what steps, if any, have

been taken by the Attorney-General to compel the Trustees of the Illinois Central Railroad Company to comply with the provisions of an act of the General Assembly, entitled "An act to compel the Trustees of the Illinois Central Railroad Company to execute their trust," I transmit herewith a communication thereon from the Attorney-General.

JOHN L. BEVERIDGE,  
Governor.

By the Governor :

PHILO J. BEVERIDGE, *Private Sec'y.*

STATE OF ILLINOIS, ATTORNEY-GENERAL'S OFFICE,  
SPRINGFIELD, January 15, 1874.

SIR : I have the honor to acknowledge the receipt of your communication of the 8th inst., referring to me a copy of a resolution of the Senate passed the same day, in these words :

*Resolved by the Senate,* That the Governor be, and he is hereby respectfully requested to inform the Senate what steps, if any, have been taken by the Attorney General to compel the trustees of the Illinois Central Railroad Co. to comply with the provisions of an act of the General Assembly entitled "An act to compel the trustees of the lands granted to the Illinois Central Railroad Company to execute their trust."

In compliance with your request, I would respectfully report that the act referred to in the resolution did not take effect until July 1, 1873, and that under the act the Trustees of the Illinois Central railroad lands were allowed the whole of the months of October and November, 1873, within which to offer for sale, at public vendue, their unsold lands for that year. At the time of the receipt of your communication, no complaints had been made to me or facts brought to my notice showing that the trustees had not complied with the law and offered such lands for sale at public vendue, in October or November last.

I have since addressed a circular letter to the State's attorneys and county clerks of the counties in which the greater portion of such unsold lands are situated, making inquiry as to the facts, and am now in the possession of authentic information showing that the trustees wholly failed to advertise and offer said lands at public sale in such counties, in 1873, as required by the statute.

I am now engaged in the preparation of a petition for *mandamus*, to be filed in the supreme court of the Central grand division, in pursuance of the fifth section of the act of March 28, 1873.

This is the first term of the supreme court held since the time expired when the trustees were required to advertise and sell such lands in 1873, and the first opportunity which has existed for presenting such petition to the court.

Under the practice of the supreme court, a proceeding by *mandamus* can only be instituted in that court when the court is in session.

An order of the court is required directing a summons to issue on a petition for *mandamus* before such process can be sued out in the supreme court.

For the reasons stated, no proceedings have as yet been commenced in the supreme court, under the act of March 28, 1873, to compel the Trustees of the Illinois Central lands to comply with the provisions of that act.

I have the honor to be, very respectfully,

JAMES K. EDSALL,  
Attorney-General.

His Excellency :

JOHN L. BEVERIDGE, Governor.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, on the 16th day of January, 1874.

Senate bill, No. 485, for "An act authorizing the board of county commissioners elected in pursuance of section 6, article 10, of the constitution, to perform the powers and duties heretofore devolving upon the county courts in the transaction of county business in counties not under township organization."

Mr. McGrath, from the joint committee on enrolled bills, reports having laid before the Governor on the 16th day of January, 1874, an enrolled bill of the following title, viz :

Senate bill, No. 485, for "An act authorizing the board of county commissioners elected in pursuance of section 6, article 10, of the constitution, to perform the powers and duties heretofore devolving upon the county courts in the transaction of county business in counties not under township organization."

At 12:35 o'clock P. M., Mr. Wilcox moved that the Senate adjourn until 2:30 o'clock P. M.

And the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brown, Burke, Canfield, Cusey, Ferrell, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Kelly, Lee, McGrath, Patterson, Reynolds, Sanford, Shepard, Starna, Waite, Warren, Whiting, Wilcox, Yager, Mr. President—27.

Those voting in the negative are,

Messrs. Brooks, Casey, Castle, Crews, Cunningham, Donahue, Glenn, Jacobs, Kehoe, Murphy, Palmer, Voris, Ware—13.

## TWO-THIRTY O'CLOCK, P. M.

Senate met, pursuant to adjournment.

On motion of Mr. Hampton,

Leave of absence was granted Mr. Nicholson until Monday.

The consideration of executive messages being the order of business at the time of the last adjournment, the further consideration of the same order of business was proceeded with.

## STATE OF ILLINOIS, EXECUTIVE DEPARTMENT, SPRINGFIELD, January 16, 1874.

*To the Honorable the Senate:*

I have the honor to advise the Senate that on the first day of July, A. D. 1873, in pursuance of an act entitled "An act to regulate the Illinois Industrial University and to make appropriations therefor," in force July 1, 1873, I did appoint as Trustees for the Illinois Industrial University the following named persons, to-wit :

*For the Southern Grand Division*—A. M. Brown of Villa Ridge, Pulaski county ; J. P. Slade, Belleville, St. Clair county ; John J. Bird, Cairo, Alexander county.

*For the Central Grand Division*—J. H. Pickerell, Harristown, Macon county ; Daniel Gardner, Champaign, Champaign county ; Alexander Blackburn, Macomb, McDonough county.

*For the Northern Grand Division*—Emory Cobb of Kankakee, Kankakee county ; R. C. Mason, Chicago, Cook county ; D. D. Sabin, Belvidere, Boone county.

And in these appointments I respectfully ask your concurrence.

JOHN L. BEVERIDGE,  
Governor.

By the Governor:

PHILO J. BEVERIDGE, *Private Sec'y.*

On motion of Mr. Canfield,

The preceding executive message of the Governor transmitting the nominations of trustees for the Illinois Industrial University was referred to the committee on state charitable and educational institutions.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 16, 1874.

*To the Honorable the Senate :*

I have the honor to advise the senate that on the 20th day of August, 1873, I appointed as Trustee for the Illinois State Hospital for the Insane, for the term of four years from the 1st of June, 1873, J. B. Turner of Jacksonville, Morgan county, to be his own successor, and in this appointment I ask your concurrence.

JOHN L. BEVERIDGE,  
Governor.

By the Governor:

PHILO J. BEVERIDGE, *Private Sec'y.*

Mr. Hampton moved to refer the preceding executive message transmitting the nomination of a trustee for the Illinois State Hospital for Insane to the committee on state charitable and educational institutions.

The question being "Shall the executive message be referred?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Green, Hampton, Jacobs, Reynolds, Sanford, Whiting, Wilcox, Mr. President—9.

Those voting in the negative are,

Messrs. Archer, Brooks, Brown, Burke, Canfield, Casey, Castle, Crews, Donahue, Hinchcliffe, Kehoe, Kelly, Lee, McGrath, Murphy, Palmer, Patterson, Starne, Steele, Thompson, Waite, Ware, Warren, Yager, Youngblood—25.

The question being "Does the Senate advise and consent to the nomination just made?" it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Castle, Crews, Cusey, Green, Hampton, Henry, Jacobs, Kelly, McGrath, Reynolds, Sanford, Shepard, Voris, Waite, Whiting, Wilcox, Williamson, Mr. President—20.

Those voting in the negative are,

Messrs. Archer, Brooks, Burke, Canfield, Casey, Cunningham, Donahue, Ferrell, Hinchcliffe, Hundley, Kehoe, Lee, Murphy, Palmer, Patterson, Starne, Steele, Thompson, Ware, Warren, Yager, Youngblood—22.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed:

Senate bill, No. 442, for "An act to revise the law in relation to clerks of courts."

Senate bill, No. 443, for "An act to revise the law in relation to the supreme court."

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the adoption of the following resolution, to-wit:

*Resolved by the Senate, the House of Representatives concurring herein, That the Secretary of State be requested to send certified copies of Senate bill, No. 485, to the clerk of the county court of each county in this State not under township organization, at as early a day as practicable.*

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. Speaker: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, viz:

Senate bill, No. 485, for "An act to authorize the board of county commissioners elected in pursuance of section 6, article 10, of the constitution, to perform the powers and duties heretofore devolving upon the county courts in the transaction of county business in counties not under township organization."

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 16, 1874.

*To the Honorable the Senate:*

I have the honor to advise the Senate that on the 20th day of August, 1873, I appointed as Trustees of the Illinois Institution for the Education of the Deaf and Dumb, for the term of four years from the 1st day of May, 1873, to be their own successors, the following named gentlemen, to-wit:

Robert Boal of Peoria, Peoria county; John A. Chesnut, Springfield, Sangamon county; William P. Barr, Jacksonville, Morgan county.

In which appointments I respectfully ask your concurrence.

JOHN L. BEVERIDGE,  
*Governor.*

By the Governor:

PHILO J. BEVERIDGE, *Private Sec'y.*

The question being "Does the Senate advise and consent to the nominations just made?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Brooks, Brown, Burke, Casey, Castle, Crews, Cunningham, Cusey, Donahue, Ferrell, Green, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, Kelly, Lee, McGrath, Murphy, Palmer, Reynolds, Sanford, Shepard, Starnes, Thompson, Voris, Walte, Ware, Warren, Whiting, Wilcox, Williamson Yager, Youngblood, Mr. President—37.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 16, 1874.

*To the Honorable the Senate:*

In pursuance of "An act entitled 'an act to provide for the appointment of a Board of Trustees and a Steward for the Southern Illinois Insane Asylum, and a Board of Trustees for the Southern Illinois Normal School, and to prescribe the duties of such Board of Trustees and Steward,' in force May 2d, 1873," I did appoint, on the 13th day of August, A. D 1873, as Trustees of the Southern Illinois Insane Asylum, the following named persons:

William R. Brown, Metropolis, Massac county; Amos Clark, Centralia, Marion county; J. C. Boyle, Sparta, Randolph county; William N. Mitchell, Marion, Williamson county; Cornwall Kirkpatrick, Anna, Union county.

In these appointments I respectfully ask your concurrence.

JOHN L. BEVERIDGE,  
*Governor.*

By the Governor:

PHILO J. BEVERIDGE, *Private Sec'y.*

The question being, "Does the Senate advise and consent to the nominations just made?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Burke, Canfield, Casey, Castle, Crews, Cunningham, Cusey, Donahue, Ferrell, Green, Hampton, Henry, Hinchcliffe, Hundley, Kehoe, Lee, McGrath, Murphy, Patterson, Reynolds, Sanford, Shepard, Starnes, Steele, Thompson, Ware, Warren, Whiting, Wilcox, Williamson, Yager, Youngblood, Mr. President—38.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 16, 1874.

*To the Honorable the Senate :*

In pursuance of "An act entitled 'an act to provide for the appointment of a Board of Trustees and a Steward for the Southern Illinois Insane Asylum, and a Board of Trustees for the Southern Illinois Normal School, and to prescribe the duties of such Boards of Trustees and Steward,' in force May 2d, 1873," I did appoint, on the 3d day of September, A. D. 1873, the following named persons as Trustees of the Southern Illinois Normal University:

Thomas S. Ridgway, Shawneetown, Gallatin county; Edwin S. Russell, Mt. Carmel, Wabash county; James Roberts, Carbondale, Jackson county; L. M. Phillips, Nashville, Washington county; J. F. Wilkin, Marshall, Clark county.

In these appointments I respectfully ask your concurrence.

JOHN L. BEVERIDGE,  
Governor.

By the Governor:

PHILO J. BEVERIDGE, *Private Sec'y.*

The question being, "Does the Senate advise and consent to the nominations just made?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Canfield, Casey, Castle, Crews, Cunningham, Cusey, Donahue, Ferrell, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Murphy, Patterson, Sanford, Shepard, Starne, Steele, Thompson, Waite, Ware, Warren, Whiting, Williamson, Youngblood, Mr. President—35.

The Executive message of to-day, transmitting the opinion of the Attorney-General relating to the lands of the Illinois Central railroad, was taken up, and,

On motion of Mr. Casey,

Referred to the committee on judiciary.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 16, 1874.

*To the Honorable the Senate:*

I have the honor to nominate and with the consent of the Senate to appoint the following named persons Notaries Public, in and for the counties in which they respectively reside, viz :

Name.	Residence.	County.
Wm. H. McDonald.....	Prairie City .....	Cumberland.
Henry B. Upton .....	Elmira.....	Stark.
Sebastian Kraus.....	Peoria.....	Peoria.
Orville A. Snedecker.....	Jerseyville.....	Jersey.
Stephen Arnold.....	Mendota.....	LaSalle.
Wm. S. Beatty.....	Pleasant Plains.....	Sangamon.
Samuel N. Smith.....	Lisle.....	DuPage.
John A. Wilson.....	Normal.....	McLean.
Raswell Champion.....	Sterling.....	Whiteside.
Linze W. Cremons.....	McLeansboro.....	Hamilton.
James M. Lawrence.....	Collinsville.....	Madison.
George A. Miller.....	".....	"
Joseph R. Blackwell.....	Litchfield.....	Montgomery.
Joseph Wallace.....	Springfield.....	Sangamon.
Edgar C. Lawton.....	Normal.....	McLean.
Allen Bleakly.....	Carmi.....	White.
Sherman B. Dray.....	Browning.....	Schuyler.
F. A. Darling.....	Kelroy.....	Stephenson.
Joseph W. Brady.....	Windsor.....	S Shelby.
John K. Simmonds.....	Warsaw.....	Hancock.
Frank W. Fenwell.....	Danville.....	Vermilion.
Andrew N. McDonald.....	Jacksonville.....	Morgan.

Name.	Residence.	County.
Thomas Boyd.....	Chicago.....	Cook.
Wm. H. Russell.....	".....	"
Joseph Kenney.....	".....	"
David W. Clark, Jr.....	".....	"
Anstin O. Sexton.....	".....	"
Oliver C. Rounds.....	".....	"
Jeremiah J. Crowley.....	".....	"
H. L. Edgerton.....	".....	"
Robert A. Hill.....	".....	"
Francis M. Barrett.....	".....	"
J. E. Brady.....	".....	"
George W. Sausen.....	".....	"
Martin Horn.....	".....	"
Gustav Seydler.....	".....	"
Sidney E. Eastman.....	".....	"
Thomas Boyd.....	Pinkneyville.....	Perry.
Calab E. Tatman.....	Monticello.....	Platt.
Zelotes Cooley.....	Knoxville.....	Knorr.
Thomas M. Saunders.....	Leroy.....	McLean.
Charles E. Simmonds.....	Chicago.....	Cook.
Louis A. Simmons.....	Bushnell.....	McDonough.
Thomas J. Kinney.....	Vernont.....	Fulton.
August Fellheimer.....	Chicago.....	Cook.
James F. Hughes.....	Mattoon.....	Coles.
Albert Bushnell.....	Bloomington.....	McLean.
James W. Ballard.....	Andalusia.....	Rock Island.
John S. Stager.....	Sterling.....	Whiteside.
Milton W. Matthews.....	Urbana.....	Champaign.
O. E. Page.....	Cambridge.....	Henry.
Milton E. Cornell.....	Yorkville.....	Kendall.
Adison J. Nowlan.....	Chicago.....	Cook.

The question being, "Does the Senate advise and consent to the nominations just made for notaries public?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Canfield, Crews, Cunningham, Cusey, Donahue, Ferrell, Green, Hampton, Henry, Hinchliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Palmer, Patterson, Sanford, Shepard, Starnes, Steele, Waite, Ware, Whiting, Wilcox, Williamson, Yager, Youngblood, Mr. President—34.

The consideration of Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," was resumed.

Mr. Canfield offered the following amendment:

Amend section thirty-eight (38), division one (1)—

Strike out the third and fourth lines and insert, "imprisoned in the penitentiary not less than one year nor more than five years."

Mr. Sanford offered the following amendment to the amendment, which was lost:

Amend amendment by striking out the words, "not less than five years."

And the question being, "Shall the amendment be adopted?" it was decided in the affirmative.

Mr. Whiting offered the following amendment, which was adopted:

Amend by striking out section (41) forty-one, and insert the following in lieu thereof: "§ 41. If any company, association or person owning, controlling or operating a railroad shall refuse or neglect to dig up and destroy, or take other certain means of exterminating Canada thistles and other noxious weeds that may at any time be growing upon the right of way or other lands of such roads or appertaining thereto, they shall be fined for each offense not less than fifty nor more than two hundred dollars, the fine to be paid as in the preceding section."

Mr. Hampton offered the following amendment, which was adopted:

Amend section (42) forty-two, division (1) one, by adding: "*Provided* the provisions of this section shall not apply to any county where domestic animals are by law prohibited from running at large."

Mr. Cusey offered the following amendment, which was lost:

Amend section fifty-seven (57), division one (1), in line four (4), after the word "exceeding," strike out "two hundred dollars," and insert "five hundred dollars, or one year in the county jail, in the discretion of the court."

Mr. Ware offered the following amendment:

Amend division one (1), section sixty-four (64), by inserting after the word "may," in line 6, the words "for the first offense."

Pending the consideration of the amendment,

On motion of Mr. Canfield,

The Senate, at 5 o'clock P. M., adjourned.

SATURDAY, JANUARY 17, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by the Rev. Mr. Hale.

The journal of yesterday was being read, when,

On motion of Mr. Shepard,

The further reading of the same was dispensed with.

Mr. Lee (by unanimous consent) introduced Senate bill, No. 509, for "An act to amend an act entitled 'an act concerning the appointment and removal of city officers in all cities in this State, conferring additional duties upon the mayor's of such cities, and concerning appropriation bills or ordinances that may be passed in such cities,' approved March 9, 1872."

Which was ordered to a first reading.

On motion of Mr. Lee,

The rules were suspended, and the bill was read at large a first time, and ordered to a second reading, and,

On motion of Mr. Lee,

Referred to the committee on municipalities.

On motion of Mr. Williamson,

Leave of absence was granted Mr. Steele until Tuesday.

Leave of absence was granted Mr. Jacobs until Tuesday.

On motion of Mr. Hampton,

Leave of absence was granted Mr. Crews until Tuesday.

On motion of Mr. Baldwin,

The rules were suspended, and Senate bill, No. 334, for "An act relative to property conveyed, devised or bequeathed to the State in trust for charitable purposes," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 33, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Canfield, Cunningham, Cusey, Ferrell, Green, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Lea, McGrath, Murphy, Palmer, Patterson, Reynolds, Sanford, Shepard, Sterne, Thompson, Voris, Waite, Ware, Warren, Whiting, Williamson, Mr. President—33.



Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, to-wit:

House bill, No. 601, for "An act to revise the law in relation to abatement."

House bill, No. 602, for "An act to revise the law in relation to the adoption of children."

House bill, No. 604, for "An act to revise the law in relation to amendments and jeofails."

House bill, No. 608, for "An act to revise the law in relation to attorneys and counsellors."

House bill, No. 620, for "An act to revise the law in relation to the common law."

House bill, No. 621, for "An act to revise the law in relation to the construction of the statutes."

House bill, No. 644, for "An act to revise the law in relation to joint rights and obligations."

In the passage of which I am instructed to ask the concurrence of the Senate.

Mr. Ferrell entered a motion to reconsider the vote whereby the Senate refused to advise and consent to the nomination of J. B. Turner, of Jacksonville, as trustee for the Illinois State Hospital for the Insane.

On motion of Mr. McGrath,

The rules were suspended, and Senate bill, No. 502, for "An act to authorize the legislative authority of any city in this State having over 200,000 inhabitants to use any money standing to the credit of any city fund, either general or special, to meet the demands on any other city fund in which there may be a deficiency,"

Was taken up and read at large a second time, and

On motion of Mr. McGrath,

Referred to the committee on judiciary.

Mr. Reynolds moved to reconsider the vote whereby the Senate, on yesterday, advised and consented to the nominations of Robert Boal, John A. Chesnut, and William P. Barr, as trustees of the Illinois Institution for the Education of the Deaf and Dumb.

The question being "Shall the Senate reconsider the vote whereby the nominations were advised and consented to?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Canfield, Castle, Cunningham, Cusey, Ferrell, Green, Hampton, Heury, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sanford, Shepard, Starnes, Thompson, Voris, Waite, Ware, Warren, Whiting, Wilcox, Williamson, Mr. President—35.

On motion of Mr. Reynolds,

The executive message of January 16th, transmitting nominations for Trustees of Illinois Institution for the Deaf and Dumb, was referred to the committee on state charitable and educational institutions.

On motion of Mr. Murphy,

The rules were suspended, and House bill, No. 391, for "An act to remove and transfer certain records relating to real estate from the office of the recorder of deeds of Schuyler county to the office of the Auditor of Public Accounts, and creating a custodian thereof, and providing the manner of obtaining certified copies of said records, and

defraying the expenses of such removal," was taken up for consideration by sections.

On motion of Mr. Murphy,

The bill was discharged from consideration by sections.

And the question being, "Shall the bill be ordered to a third reading?" pending the consideration of which,

On motion of Mr. Hinchcliffe,

The further consideration of the pending bill was postponed until Wednesday, January 21st.

Mr. Thompson (by unanimous consent) offered the following resolution :

*Resolved*, That a special committee of three from the committee on State Charitable Institutions be appointed by the President of the Senate to investigate the proceedings of the Trustees of the State Institution for the Deaf and Dumb at Jacksonville, and to report what, if any, irregularities have occurred in such proceedings.

On motion of Mr. Thompson,

The rules were suspended for the purpose of considering the resolution. ♦

And the question being, "Shall the resolution be adopted?" it was decided in the affirmative.

Mr. Henry (by unanimous consent), from the committee on penal institutions, made the following report :

HON. JOHN EARLY,

*President of the Senate :*

Your committee on penal institutions, in pursuance of a resolution passed on the 10th day of January, 1874, which is as follows :

*Resolved by the Senate*, That the committee on penal institutions be requested, at as early a period as is consistent with their other duties, to visit the State Penitentiary at Joliet, and report the result of their observations in regard to the management of that institution to this body.

—Respectfully report as follows :

That by virtue of the authority above named, your committee proceeded on the 12th of January, 1874, to the city of Joliet, and looked carefully into the condition of the State Prison. Each member selected his own line of inspection in reference to the order, discipline and general management of the institution. This method of examination was pursued until the members were satisfied.

After the committee had thus looked over the institution, and examined the books and papers relative to its finances, since May 10, 1873, they assembled at the Robertson House, and organized. The contracts for supplies, made by the Commissioners, were carefully examined. Testimony was heard respecting these contracts, as to whether they were advantageous or otherwise to the State. All the means within the power of the committee were used to ascertain the financial condition of the institution.

Your committee gave especial attention to the subject of the government of convicts. Owing to charges of inhumanity towards prisoners, preferred against some of the officers, which charges were made by public journals, and because of the sudden death of one Henry Williams, a convict, while being bathed in the bath room, the committee carefully sought all the light upon these matters within their reach. They called every witness they could find, in and out of the prison, whose testimony promised any aid in shedding light on these subjects.

After closing this investigation your committee are convinced that the State Penitentiary is conducted with financial skill and ability. The institution is conducted on a cash basis. There is now an excess

of earnings over expenses of \$14,040 33, the cash on hand, which is more fully set forth in the statements herewith submitted, and marked "A," "B" and "C." The contracts since the 10th day of last May have been made on advantageous terms to the State.

The sanitary condition of this prison is of the highest order. Cleanliness is one of the striking features observable in every department. Convicts are well fed and well clothed. Superior ventilation and sewerage afford, on the one hand, pure air, and on the other hand the means of escape of all noxious and unwholesome matter. Hospital advantages are ample and complete, affording to the sick the largest means of comfort consistent with prison life.

Superior advantages for convicts are afforded for intellectual entertainment. A library of over 3,000 volumes is here for the use of these people. The public journals are within the reach of every convict who desires to read them. The moral and religious advantages afforded are worthy of comment. Services are held at the chapel in the prison once each week. A school is taught by the chaplain, in which those are instructed who desire to improve their education.

The government of the institution seems excellent. Implicit obedience to the rules and regulations, both by convict and officer or employee, is made a matter of the first importance. Near twelve hundred convicts are now imprisoned here. They have been gathered in from the various haunts of vice and the ranks of the lawless over the State. To control and discipline these persons requires a degree of skill, firmness and ability rarely possessed by any one. Notwithstanding these difficulties, order is maintained. Inhuman and vindictive punishments are not countenanced or inflicted. No more punishment is administered than what seems necessary to correct the disobedient. Firmness and kindness toward the prisoner, on the part of the officer or employee, are implicitly demanded, and immediate obedience by the subaltern or convict is required.

Your committee are satisfied that Henry Williams, the convict, came to his death in the bath room of the Penitentiary, on or about the 12th day of December, 1873, immediately after being immersed the fourth time. This convict had represented that he had no grip or power in his hands, and on that account was unable to work. He was thereupon reported at sick call to the surgeon, on the morning previous to the day of his death. Upon examination, the surgeon became satisfied that he was feigning sickness, and as a remedy therefor directed him to be bathed. The temperature of the bath water was about 54 degrees. The order was given to officer Sleeper. The convict, on the day of his death, was taken to the bath room, and, by the help of three or four convicts, the officer immersed him twice. At each immersion the deceased resisted with all his force. He at one time clung with his hand hold of the side of the bath tub with such force that it required nearly all the strength of another prisoner to loose him. He was then ordered to put on his clothes, which he refused to do, but stood in a sullen and defiant attitude. At this moment the Deputy-Warden (Hall) came into the bath room and ordered the prisoner to dress. The prisoner still refused, and Hall directed him to be immersed again, and it was done twice, the prisoner resisting with all his force, as before. When taken out the last time, he sat on the edge of the bath-tub, blew the water out of his mouth and nose, breathed heavily a few times, then leaned over on the floor, and was carried and laid on

a table, and then expired almost immediately. The hospital steward came in shortly, and attempted to resuscitate the deceased. The prison physician, Dr. Mason, held a partial *post mortem* examination upon the body of the deceased, and not having the means to examine the heart under a microscope, sent it to a surgeon in Chicago for the purpose of perfecting the examination. The opinion of the committee is, that the convict Williams had disease of the heart, not discoverable without careful examination of an experienced physician, while he was living. The great physical effort he made in resisting the officers, when bathing him in pursuance of the direction of the physician, caused rupture of the heart, of which he died.

The commissioners had several months previous abolished the bath as a punishment. The physician used the bath in three cases, viz: feigned sickness, feigned insanity, and self-abuse. In this instance it was ordered as treatment for feigned sickness. This convict was liable, at any time, from excitement or unusual muscular exertion, or from both, to have died. It is the sense of this committee that the bath should not be administered unless the surgeon be present.

The Warden was not present at the prison when this occurrence transpired, and necessarily the supervision of this order and its execution devolved upon Deputy-Warden Hall. While technically this officer may have gone a step too far in ordering the bath after his entrance into the bath-room, yet there is, in the judgment of the committee, no ground for further censure: and it is due to these men (Hall and Sleeper) to say that both of them are efficient and skillful officers, and that there was no intention, on their part, to treat Henry Williams, the deceased, with rigor or cruelty.

The committee believe that it was, to say the least, indiscreet on the part of Dr. Mason, to subject this prisoner to the bath without having made a more thorough examination as to the condition of his vital organs, and that he and the commissioners of the penitentiary committed a grave mistake in not demanding, at once, that a coroner's inquest be held on the spot.

All of which is respectfully submitted.

G. W. HENRY, *Chm.*  
R. S. WILLIAMSON,  
GEORGE GUNDLACH,  
W. H. SHEPARD,  
JOHN CUSEY,  
CHARLES VOIRIS,

JOHN CUNNINGHAM,  
WM. B. HUNDLEY,  
THOS. S. CASEY,  
E. A. WILCOX,  
C. M. FERRELL,  
J. S. REYNOLDS.

#### EXHIBIT "A."

*Financial Statement of the present management of the Illinois State Penitentiary, May 10, to December 31, 1873.*

DEBIT.		
To former management, amounts received as per annexed cash statement:		
Cash balance May 10.....		\$2,580 99
From contractors and State House.....		45,324 92
" book accounts.....		16,987 18
To convict money—surplus receipts over expenditures.....		758 40
" December pay-roll and ordinary purchases made, on 30 days' time, during month of December, (estimated, will not exceed).....		15,000 00
		\$80,651 49

CREDIT.			
By amount paid, due from former management.....		\$13,552 37	
"    "    for packing beef, former management.....		240 00	
(1)	"    "    for packing cattle, stock ahead.....	6,779 43	
(2)	"    "    for pork and salt, ".....	3,212 10	
(3)	"    "    for potatoes, ".....	3,895 92	
(4)	"    "    for onions and apples, ".....	1,624 24	
due from contractors, January 1, 1874.....		15,378 13	
By cash on hand.....		50,019 63	
			\$94,091 82
Balance in favor of present management.....			\$14,040 33

## EXHIBIT "B."

*Financial Statement of the present management of the Illinois State Penitentiary, May 10 to December 31, 1873.*

EARNINGS.			
Convict labor (paid by contractors).....		\$115,687 07	
Convict labor (due from contractors).....		15,378 13	
Cash sales.....		5,805 41	
Traveling expenses refunded.....		56 10	
Visitors' fees.....		1,050 30	
			\$137,977 01
EXPENSES.			
Purchases.....		\$81,282 31	
Less purchases for "stock ahead." See Exhibit "A," items 1, 2, 3 and 4—credit.....		15,511 69	
			\$65,770 62
Convict transportation.....		2,816 68	
Office and traveling expenses.....		3,820 11	
Gas bills.....		1,437 00	
Pay-rolls and salaries.....		34,336 77	
Two span horses.....		575 00	
Repairs on buildings (free labor).....		57 50	
Lease of pasture.....		100 00	
Purchases for library.....		23 00	
Amount due for December pay-roll and current bills.....		15,000 00	
			\$123,936 68
Excess of earnings over expenses.....			\$14,040 33

## EXHIBIT "O."

*Statement of Cash Receipts and Expenditures from May 10 to December 31, 1873.*

RECEIPTS.			
May 10..Balance on hand.....		\$2,580 99	
From new State House, due to old management.....		8,350 42	
From contractors, due to old management.....		36,974 50	
Book accounts, due to old management.....		16,987 18	
From contractors.....		115,687 07	
Cash sales.....		5,805 41	
Convict money.....		3,236 07	
Visitors' fees.....		1,050 30	
Traveling expenses refunded.....		56 10	
			\$190,728 04

EXPENDITURES.		
May 10..Purchases for general expense.....	\$81,282 31	
Convict money.....	2,447 67	
Convict transportation.....	2,816 68	
Office and traveling expenses.....	3,820 11	
Gas bills.....	1,437 00	
Pay-rolls and salaries.....	34,336 77	
Library.....	23 00	
Two span horses.....	575 00	
Repairs on buildings (free labor).....	57 50	
Lease of pasture.....	100 00	
Packing meat, due from former management.....	230 00	
Book account, due from former management.....	13,552 37	
		140,708 41
Dec. 31..Balance cash on hand.....		\$50,019 63

## AFFIDAVITS.

The following affidavits represent substantially the oral statements made by these convicts when alone with a sub-committee. The other testimony, following, was also given before the same sub-committee. This sub-committee was appointed for the special purpose to take statements of the convicts and the hospital steward, Baird, who was confined to his bed from the effects of a severe wound, and also the statement of George Catlin :

I, JOHN A. MCSORLEY, do swear, that I am a convict in the Illinois State Penitentiary; I assisted in the bathing of the convict, Henry Williams, in December, 1873. I have seen other convicts bathed; I do not think that the bathing of Williams had anything to do with his death; he was not kept in the water longer than usual, and was not abused by Captain Hall or Mr. Sleeper; I knew Williams in the Madison county jail, from which county we were both sent; he was considered a very hard case there; he got hurt while in that jail; he was laid up about a month, and the doctor said he was injured about the breast. While in jail, he could talk very good English if he wanted to; I do not know how long Williams lived after taken out of the bath-tub; he was alive and breathing when taken out. What I here state, I would certify to were I not a convict. All convicts here understand that they are expected to obey the published rules of the prison, and that if they fail to conform to them, they will be punished.

JOHN A. MCSORLEY.

Sworn to and subscribed before me, this 26th day of December, A. D. 1873.

HENRY R. YEAKLE, Notary Public.

I, ALBERT KENNEDY, was present at the time Henry Williams was bathed. I assisted to bathe him; held his head same as usual on such occasions; have assisted to bathe a great many; am positive that Williams was not bathed near as severe as others; he was not strangled; was breathing when let out of the water the last time; he was not struck or abused in any way. Nothing unusual occurred at that time: was surprised to hear that Williams was dead; do not think that he died from the effects of the bath; he was not under water, at any time, longer than four or five seconds.

ALBERT KENNEDY.

Sworn to before me, this 22d day of December, A. D. 1873.

HENRY R. YEAKLE, Notary Public.

I, WILLIAM J. DEEMING, do solemnly swear that I am now and have been for the last three years employed as keeper in what is known as the solitary (punishment) department of the Illinois State Penitentiary, and that during the term of his office ex-Commissioner John Reid was in the habit of frequently going to the solitary, and inquiring how the punishments were getting along. Mr. Reid suggested the punishment of "ducking" (as he termed it), of convicts, long before the bathing system was adopted. He said to me, in the solitary, that he was going to attach a hose to the hydrant and open on the convicts with full force. He said that a blanket could be hung in front of the cell door so that the noise made by the convict undergoing the punishment could not be heard outside the building. I have heard Mr. Reid say, in speaking of the case of McCarty, that "he ought to be ducked;" "that it would fetch him to time," and he (Reid) has asked me time and again, "why the deputy warden did not give these refractory cases a good ducking." I have heard him also assert that "a good blacksnake would do them good." I have never heard Mr. Reid urge any lenient measures towards convicts; have never heard him accuse either Deputy Mayhew or Deputy Hall of being too harsh; the contrary is a fact. There have been on the average, during the last six months, less cases of punishments than during any time since I have held my present position. I have known, during the administration of ex-Commissioner Reid, and ex-Warden Edwards, for them to order the confinement of refractory convicts in the "solitary" from four to ten days, and in some cases even longer. The men were ordered chained up to the wall during the day. I have heard Major Edwards (former Warden) ask of Captain Hall: "Why in the devil don't Mayhew use the sand-bag more," and have heard him (Edwards) say to Captain Hall, "Give them h—l if they don't behave themselves." The sand-bag, as it is termed, was made during Edwards' administration, and, I was credibly informed, by his (Mr. Edwards') order. It is in the form of an army knapsack. Its weight is about fifty pounds.

WM. J. DEEMING.

Sworn to and subscribed before me, this 22d day of December, A. D. 1873.

HENRY R. YEAKLE, Notary Public.

Statement made by THOMAS D. BAIRD, January 14th, 1874: I am hospital steward of Illinois State Penitentiary; I was subpoenaed to the coroner's inquest to testify in regard to the death of Henry Williams; was present but was not called upon to testify. I saw Williams on the morning of the 11th of December, 1873. He complained that he could not use his hands at work. Dr. Mason, the prison physician, examined him, and I judge from what the doctor said that in his judgment there was nothing the matter with Williams, and remarked that he would give him a bath of cold water. No written order was given, and is not usually given unless called for. Between 7 and 8 o'clock, A. M., on the 12th day of December, 1873, I was called to the bath room, and went there immediately and found Williams lying on the table dead. After trying to resuscitate him, Dr. Mason came in and I told him the man was dead. I then went back to the hospital and remained there until after sick roll call. After the roll call, went to the Warden's house and had a talk with the commissioners in regard to the case. As soon as Dr. Mason returned to the hospital and said he had to make a *post mortem* examination, he directed me to get the instruments ready and go with him to the bath room and assist him in the examination. We went to the bath room together. He said he wanted to examine the brain, and directed me to get a saw. When I had returned with the saw he had the scalp removed. He tried the saw and found it dull. I told him I would get another saw from the amputating case. When I returned with the saw Dr. Mason had removed the skin from over the chest and had cut through the cartilage of the ribs on the right side. He then commenced to cut through the ribs on the left side. I remained there until the heart was removed and the examination was completed. I saw him take out the heart. I held the ribs open so that he could remove the heart, and while I was in that situation he removed the heart. I should have said that I held the ribs open while he cut the pericardium and the aorta; I then let go of the ribs and stepped around to the other side of the body, and as I was in the act of stepping around the doctor took out the heart; after the chest was opened I saw blood in the cavity of the chest; I cannot state that there was blood between the pericardium and the heart; the reason why I cannot state is that at that particular time I was not looking at the heart; my impression was that there was coagulated blood in the cavity of the chest before the heart was removed; I cannot state that there was coagulated blood in the cavity of the chest before the pericardium was cut; I saw the rupture in the heart; I cannot state whether it was a rupture or an incision; the opening was not as ragged as I should expect a rupture to be, and not as smooth as I should expect an incision to be; the upper and lower thirds had the appearance of being cut, while the middle had the appearance of being ruptured; I cannot account for the roughness of the middle third, except on the theory of a rupture; my impression was that the heart was larger than is usual in healthy human hearts; I have seen human hearts before in a natural condition; where this opening was in this heart the walls were unusually thin; I was not present at the subsequent *post mortem* examination; I have studied medicine about five years, and attended a course of lectures at Louisville, Ky.; I am 23 years old.

Statement made by GEORGE CATLIN: I am assistant steward in the penitentiary; have been here since November last; was present at the *post mortem* examination of the convict Henry Williams; Dr. Mason, hospital steward Baird, and myself, were the only persons present; as soon as the cavity of the chest was opened, I saw blood in the cavity; I did not examine the opening in the heart; I saw the opening or rupture in the heart as soon as the doctor took the heart out; I did not examine the opening in the heart, and can't state its appearance.

Mr. Palmer moved that the report of the committee on penal institutions, relating to the penitentiary, be printed, and also that the testimony taken before the coroner's jury of Will county be printed with said report.

On motion of Mr. Donahue,

The further consideration of the report and pending motion was postponed until Tuesday, January 20th.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed:

Senate bill, No. 258, for "An act in regard to the action of account."

Senate bill, No. 438, for "An act to repeal an act entitled 'an act to provide for the election of additional supervisors in the county therein named.'"

Senate bill, No. 444, for "An act to revise the law in relation to circuit courts and the superior court of Cook county."

Senate bill, No. 493, for "An act to amend an act entitled 'an act in regard to roads and bridges in counties under township organization.'"

Senate bill, No. 445, for "An act to revise the law in relation to the criminal court of Cook county."

On motion of Mr. Canfield,

The Senate, at 12:15 o'clock P. M., adjourned.

MONDAY, JANUARY 19, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by the Rev. Mr. Moore.

The journal of Saturday was being read, when,

On motion of Mr. Henry,

The further reading of the same was dispensed with.

On motion of Mr. Palmer,

The rules were suspended, and bills of the House of Representatives on first reading were ordered taken up for consideration.

The President made the following announcement:

I hereby appoint, as the special committee of three from the committee on state charitable and educational institutions, to investigate the proceedings of the Trustees of the Institution for the Deaf and Dumb, Messrs. Thompson, Wilcox and Hinchcliffe.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, to-wit:

House bill, No. 609, for "An act in regard to canal companies."

House bill, No. 619, for "An act to revise the law in relation to the commitment and detention of lunatics."

House bill, No. 622, for "An act to revise the law in relation to costs."

House bill, No. 633, for "An act to revise the law in relation to county treasurer."

In the passage of which I am instructed to ask the concurrence of the Senate.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to lay before the Senate the following written communication:

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 16, 1874.

*To the General Assembly:*

I have the honor to lay before the legislature a communication from the Auditor of Public Accounts, giving information of the operations of the law "To fund and provide for paying the railroad debts of counties, townships, cities and towns," in force April 16th, 1869.

JOHN L. BEVERIDGE,

Governor.

House bill, No. 601, for "An act to revise the law in relation to abatements,"

Was taken up and read at large a first time, and ordered to a second reading.

House bill, No. 602, for "An act to revise the law in relation to the adoption of children,"

Was taken up and read at large a first time, and ordered to a second reading.

Mr. Sanford (by unanimous consent) introduced Senate bill, No. 510, for "An act to amend section 91 of an act entitled 'an act in regard to the administration of estates,' approved April 1, 1872."



Which was ordered to a first reading, and, by unanimous consent, was read at large a first time, and ordered to a second reading.

Mr. Patterson (by unanimous consent) introduced Senate bill, No. 511, for "An act to repeal sections thirty-two (32), thirty-three (33), and one hundred and eight (108) of 'an act for the assessment of property and the levy and collection of taxes,' approved March 30th, 1872."

Which was ordered to a first reading, and, by unanimous consent, read at large a first time, and ordered to a second reading, and,

On motion of Mr. Patterson,

Referred to the committee on revenue.

Mr. Kehoe (by unanimous consent) introduced Senate bill, No. 512, for "An act making cities, towns and other corporations responsible for the destruction of property by mobs or unlawful combinations."

Which was ordered to a first reading, and,

On motion of Mr. Kehoe,

Referred to the committee on municipalities.

Mr. Patterson (by unanimous consent) called up Senate bill, No. 238, for "An act to provide for the payment of military companies while on duty at Chicago in the month of October, 1871," from the order of consideration by sections, and,

On motion of Mr. Patterson,

The bill was recommitted to the committee on appropriations.

By unanimous consent,

On motion of Mr. Glenn,

House bill, No. 390, for "An act to amend section 14 of the act entitled 'an act in regard to judgments and decrees, and the manner of enforcing the same by execution, and to provide for the redemption of real estate sold under execution or decree,' in force July 1, 1872," was taken from the table, and referred to the committee on miscellany.

Mr. Starne (by unanimous consent) offered the following resolution:

*Resolved*, That the committee on banks and banking be requested to report to the Senate, Senate bill, No. 293, entitled "An act requiring banking associations to make quarterly reports."

By unanimous consent, the rules were suspended and the resolution was adopted.

The President presented the following communication from the Auditor, and,

On motion of Mr. Starne,

One thousand copies of the same were ordered printed:

STATE OF ILLINOIS, AUDITOR'S OFFICE,  
SPRINGFIELD, January 16, 1874.

HON. JOHN EARLY, *President of the Senate*:

SIR: In response to the request of the Senate, I have the honor to submit herewith the following information:

1st. "The number of miles of railroad constructed under the provisions of the law of 1869."

2d. "The assessed value of all the property and stock of said companies, for the year 1873."

3d. "The assessed value of all property, except railroad property, in the counties and towns through which said railroads run, for the years 1868 and 1873."

4th. "The assessed value of all property in such counties, respectively, in the year 1868."

In the first table I have embraced all railroads built in the State since 1869, which have received the benefits of subscriptions or dona-

tions of counties, townships, cities and towns, paid in bonds registered under the provisions of the act in force April 16, 1869, giving for each road the number of miles and amount of registered bonds issued in payment of subscriptions or donations.

The length of road is not in all cases of record in this office, and I have ascertained it from the best data attainable. It has been a matter of some difficulty, in the limited time allowed in the preparation of this report, to get all the facts relating to roads built in Illinois since 1869; and while I am satisfied that the tables are substantially correct, there may be some errors and omissions.

I have not included roads aided, or bonds registered under the act of 1869, when the roads had received the bonds before the passage of the act, but in a few cases which are included the vote authorizing the issue of the bonds was taken before the passage of the registration law.

In a number of instances the present corporation named is the successor, by consolidation, purchase, lease or charter amendment, of the company in aid of which the subscription appears from the record of registration to have been voted.

The first table also embraces the assessed value of all the property and capital stock of railroads aided, for the year 1873. In arriving at such assessed value for 1873 it is found that some of them are branches of older roads and are included by the State Board of Equalization in the general assessment of companies whose main lines were built prior to 1869. In such cases, I have given in the table the proportion of the assessment due to the newly constructed part, ascertained from the ratio which exists between the mileage of the newly constructed part, and that of the whole line. A few of the roads aided have furnished no data for assessment.

The second table gives in detail the information called for in the third and fourth clauses of your resolution.

Very respectfully, your obedient servant,

C. E. LIPPINCOTT, *Auditor Public Accounts.*

TABLE No. I.

Name of Railroad.	Length.		Amount of registered bonds.	Assessment of 1873.	
	Miles.	Feet.		R. R. track and rolling stock.	Capital stock.
Rockford, Rock Island and St. Louis, and branches	282	2,640	\$1,189,400	\$2,146,932	\$1,004,498
Decatur and East St. Louis.....	108	-----	340,000	1,120,273	2,002,017
Hannibal and Naples, and branch.....	49	3,166	244,600	472,404	352,601
Pekin, Lincoln and Decatur.....	67	1,833	278,000	771,553	470,851
Lafayette, Bloomington and Mississippi.....	77	3,637	447,500	876,670	401,042
Jacksonville, N. W. and S. E.....	30	4,139	162,000	245,380	188,210
Indianapolis, Bloomington and Western.....	122	-----	701,500	619,881	\$4,299,899
" " " " extension.....	102	-----	544,500	1,016,764	
" " " " Decat'r br.....	29	-----	184,000	-----	
Peoria and Rock Island.....	90	4,806	254,900	756,894	1,700,522
Chicago, Danville and Vincennes.....	108	1,568	436,147	1,045,817	760,370
Chester and Tamaroa.....	40	3,725	250,000	285,097	192,008
Paris and Decatur.....	} 101	4,190	363,000	} 746,659	455,718
Chicago and Illinois Southern.....			199,500		
Calto and Vincennes.....			508,000	1,134,757	1,099,887
Paris and Danville.....	34	3,120	149,000	263,575	164,991
Springfield and Northwestern.....	23	2,394	65,000	151,853	181,485
Chicago and Iowa.....	77	4,791	190,000	781,207	558,025
Ottawa, Oswego and Fox River Valley.....	57	2,640	473,000	750,988	1,141,828
Illinois Grand Trunk.....	65	-----	194,000	848,943	1,290,763
Quincy and Warsaw.....	40	-----	280,000	522,426	794,315
Chicago and Rock River.....	47	-----	200,000	613,851	933,321
Peoria and Hannibal, extension.....	32	-----	100,000	417,941	635,452

Name of Railroad.	Length.		Amount of registered bonds.	Assessment of 1873.	
	Miles.	Feet.		R. R. track and rolling stock.	Capital stock.
Chicago and Paducah.....	128	.....	\$569,000	\$511,330	\$152,331
Chicago, Pekin and Southwestern.....	57	3,182	102,000	357,350	247,392
Carbondale and Shawneetown.....	17	2,560	100,000	135,003	67,454
Springfield and Illinois Southeastern.....	219	5,098	1,007,900	1,350,897	1,127,649
Gilman, Clinton and Springfield.....	110	3,718	783,500	913,361	585,288
St. Louis and Southeastern, and branches.....	174	460	962,000	2,020,338	103,135
Belleville and Southern Illinois.....	56	.....	176,040	823,174	769,244
Chicago and Alton, Dwight to Wash'n and Lacon.....	81	68	253,000	911,040	1,417,491
Indiana and Illinois Central.....	76	.....	236,000	558,250	164,683
Cairo and St. Louis.....	90	.....	100,000	343,948	502,055
Louisville, New Albany and St. Louis.....	17	3,960	135,000	110,203	110,646
Kankakee and Indiana.....	11	.....	65,500	119,739	34,423
St. Charles.....	24	.....	45,000	31,512	23,490
Illinois and St. Louis extension.....	7	.....	25,000	106,445	24,673
Madison County*.....	8	.....	25,000	.....	.....
Belleville and O'Fallon*.....	8	.....	25,000	.....	.....
	2,799	1,005	\$12,386,547	\$23,883,421	\$24,077,837

\*No assessment.

TABLE No. II.

Counties.	Localities.	Valuations for 1868.	Valuations for 1873.		
			Property of R. R. aided.	Other property.	Total.
Adams.....	County of Adams.....	\$6,975,393	\$724,791	\$17,196,350	\$17,921,071
Alexander.....	Alexander.....	3,512,698	85,062	3,938,974	3,394,036
Bureau.....	Township of Lamolille.....	299,520	216,333	742,968	950,321
.....	Ohio.....	256,793	195,334	719,539	914,873
.....	Walnut.....	192,830	919,911	619,292	839,203
Cass.....	County of Cass.....	2,271,077	520,057	6,785,568	7,305,625
Champaign.....	Township of Urbana.....	511,906	179,814	1,703,319	1,882,933
.....	West Urbana.....	634,803	91,796	3,291,373	3,363,169
.....	Middletown.....	257,325	150,631	710,706	861,027
.....	Scott.....	117,502	130,624	495,880	626,504
Christian.....	County of Christian.....	4,599,227	1,195,176	11,585,124	12,780,300
Clay.....	Clay.....	2,470,578	287,736	5,071,790	5,359,526
Colles.....	Township of Mattoon.....	285,280	116,974	654,979	771,953
.....	East Oakland.....	898,107	.....	2,474,858	2,474,858
DeWitt.....	County of DeWitt.....	2,646,640	957,494	6,827,520	7,785,014
Douglas.....	Douglas.....	2,409,792	570,252	6,022,200	7,192,452
Effingham.....	Township of Douglas.....	389,988	95,898	579,491	675,389
.....	Liberty.....	74,365	33,797	104,047	197,844
.....	Mason.....	210,543	34,715	508,175	542,890
.....	Moccasin.....	114,619	.....	388,167	388,167
.....	Summit.....	166,999	104,426	394,587	499,013
.....	Teutopolis.....	114,034	77,480	207,057	284,537
.....	West.....	128,258	45,439	347,091	392,530
.....	Incorp. Town of Edgewood.....	16,500	6,490	86,480	92,970
Edgar.....	County of Edgar.....	4,781,339	642,553	10,378,702	11,021,255
Fayette.....	Township of Vandalia.....	565,069	335,804	1,719,946	2,055,750
Ford.....	County of Ford.....	1,561,968	818,377	6,323,197	7,141,574
Fulton.....	Township of Astoria.....	269,068	98,230	827,807	926,057
.....	Farmers.....	212,866	22,956	426,764	449,714
.....	Pleasant.....	244,259	206,127	680,539	886,666
.....	Vermont.....	418,355	307,378	1,166,117	1,475,495
.....	Woodland.....	188,097	.....	500,847	500,847
Gallatin.....	County of Gallatin.....	1,291,491	419,260	2,386,954	2,806,214
Greene.....	Greene.....	3,754,912	623,313	8,143,548	8,766,861
Hamilton.....	Hamilton.....	1,276,169	453,530	2,362,544	2,816,074
Hancock.....	Township of Bear Creek.....	212,995	199,166	452,555	651,721
.....	St. Albans.....	154,458	193,020	406,704	599,724
.....	Incorp. Town of Carthage.....	206,832	74,823	563,815	638,638
Henry.....	Township of Lynn.....	344,799	72,301	478,973	551,274
.....	Western.....	272,301	127,535	760,979	886,514
.....	Galva.....	895,471	143,190	1,500,379	1,643,569
Iroquois.....	Ash Grove.....	181,308	.....	618,522	618,522
.....	Belmont.....	225,494	99,838	523,173	623,011
.....	Concord.....	228,174	65,406	529,435	594,841
.....	Douglas.....	432,087	31,932	1,386,952	1,418,884
.....	Fountain Creek.....	142,335	.....	483,000	483,000
.....	Grenard.....	103,714	.....	328,331	328,331
.....	Lovejoy.....	106,483	100,107	353,898	454,005
.....	Martinton.....	136,626	99,405	502,176	601,581

Counties.	Localities.	Valuations for 1868.	Valuations for 1873.		
			Property of R. R. aided.	Other prop- erty.	Total.
Iroquois	Township of Middleport	\$319, 165	\$101, 725	\$780, 043	\$881, 768
"	" " Milford	266, 582	120, 854	620, 960	741, 814
"	" " Papineau	131, 872	67, 122	440, 549	507, 671
"	" " Prairie Green	129, 874		330, 166	330, 166
"	" " Sheldon	172, 200	50, 518	667, 344	717, 862
"	" " Stockland	217, 587		486, 184	486, 184
Jefferson	City of Watseka	178, 587	23, 006	384, 383	407, 389
Johnson	County of Jefferson	2, 445, 109	361, 099	3, 712, 803	4, 073, 902
Kane	" " Johnson	840, 439	479, 148	1, 702, 473	2, 181, 621
Kankakee	Township of Aurora	2, 363, 318	231, 842	6, 955, 979	7, 187, 811
"	Incorp. Town of St. Charles	216, 985	34, 672	595, 241	630, 553
"	Township of Aroma	215, 117	60, 534	447, 393	507, 927
"	" " Ganeer	277, 016	69, 944	474, 630	544, 564
"	" " Kankakee	722, 398	36, 085	1, 130, 365	1, 175, 450
"	" " Momence	209, 637	99, 876	482, 182	582, 058
"	" " Yellowhead	272, 740	99, 685	668, 847	768, 532
Kendall	County of Kendall	2, 585, 347	540, 845	7, 518, 275	8, 059, 120
Knex	Township of Rio	215, 164	58, 942	650, 714	709, 656
LaSalle	" " Bruce	148, 786	172, 016	1, 189, 373	1, 361, 389
"	" " Dayton	170, 408	212, 340	468, 602	638, 942
"	" " Osage	238, 806	192, 809	740, 645	933, 454
"	" " Ottawa	1, 474, 527	118, 829	4, 078, 731	4, 197, 560
"	" " South Ottawa	293, 736	204, 011	544, 067	748, 078
Lee	" " Alto	162, 466	141, 884	498, 277	640, 161
"	" " Amboy	332, 070	202, 261	960, 316	1, 162, 577
"	" " Brooklyn	242, 371	191, 145	501, 448	782, 593
"	" " Hamilton	49, 055		129, 467	129, 467
Livingston	" " Wyoming	319, 644	207, 090	614, 210	821, 300
"	" " Amity	138, 862	42, 197	582, 631	624, 828
"	" " Avoca	205, 042	52, 219	547, 180	599, 399
"	" " Dwight	342, 335	46, 882	1, 037, 168	1, 084, 050
"	" " Eppards' Point	220, 190	18, 414	664, 432	674, 846
"	" " Indian Grove	602, 320	21, 310	1, 599, 393	1, 620, 603
"	" " Newtown	198, 848	59, 164	705, 157	764, 321
"	" " Owego	167, 374		504, 304	504, 304
"	" " Pontiac	551, 368	63, 827	1, 400, 788	1, 464, 615
Logan	County of Logan	4, 654, 580	1, 167, 059	14, 502, 075	15, 669, 134
Macoupin	" " Macon	3, 731, 988	554, 329	16, 571, 193	17, 125, 592
Madison	Incorp. Town of Brighton	119, 990	18, 695	210, 796	294, 491
"	" " Virden	292, 690	19, 306	394, 736	414, 042
Marshall	" " Edwardsville	385, 168	27, 997	696, 093	924, 090
"	Township of Evans	340, 690	189, 732	681, 305	1, 071, 637
"	" " Leacon	348, 754	88, 835	626, 032	654, 867
"	" " Hopewell	166, 147	207, 945	406, 510	614, 455
"	" " Roberts	210, 504	240, 529	532, 797	773, 256
Macon	" " Havana	717, 977	258, 410	1, 437, 369	1, 695, 679
"	" " Macon City	294, 458	132, 380	1, 257, 837	1, 380, 217
"	" " Pennsylvania	154, 474	87, 061	444, 590	531, 671
"	" " Sherman	88, 325	131, 696	291, 445	423, 141
McDonough	" " Bushnell	352, 894	161, 021	942, 804	1, 103, 825
"	" " Eldorado	214, 312		686, 809	686, 809
"	" " Mound	298, 485	168, 939	818, 874	987, 813
"	" " New Salem	226, 349	65, 647	619, 413	685, 060
"	" " Walnut Grove	254, 808	19, 069	797, 871	816, 940
McLean	County of McLean	10, 440, 636	1, 340, 825	35, 134, 015	36, 474, 840
Mercer	Township of Abington	218, 035		546, 416	546, 416
"	" " Eliza	230, 061		520, 372	520, 372
"	" " Greene	179, 845	197, 993	575, 667	773, 660
"	" " Keithsburg	223, 256	128, 084	576, 904	704, 988
"	" " Mercer	254, 744	193, 646	935, 019	1, 128, 635
"	" " Millersburg	213, 906	196, 696	522, 375	719, 071
"	" " New Boston	307, 057	247, 797	673, 501	921, 298
"	" " Perryton	256, 605		531, 054	531, 054
Montgomery	County of Montgomery	4, 703, 342	570, 606	10, 433, 549	11, 004, 155
Monroe	" " Monroe	2, 368, 798	508, 051	3, 339, 068	3, 847, 139
Morgan	Township 15 N. R. 10 W. 3 P.M.	2, 328, 283	14, 876	5, 972, 841	5, 987, 077
"	" " 14 N. R. 9 W. 3 P.M.	314, 215	19, 222	710, 009	729, 331
"	Incorp. Town of Waverly	69, 526	2, 404	368, 760	271, 164
Moultrie	County of Moultrie	1, 846, 420	663, 704	5, 094, 419	5, 758, 123
Ogle	Township of Nashua	91, 178	31, 180	239, 306	270, 386
"	" " Oregon	203, 313	62, 503	711, 015	793, 518
"	" " Pine Rock	215, 505	106, 649	513, 207	613, 856
Peoria	County of Peoria	9, 728, 195	906, 402	22, 695, 630	23, 624, 932
Perry	" " Perry	1, 976, 407	503, 064	4, 323, 276	4, 822, 440
Piatt	Township of Remont	308, 020	54, 996	942, 450	997, 448
"	" " Blue Ridge	251, 973	510, 052	525, 151	1, 035, 203
"	" " Monticello	397, 414	47, 103	1, 032, 506	1, 079, 609
"	" " Snyman	293, 408	35, 369	790, 634	826, 603

Counties.	Location.	Valuations for 1885.	Valuations for 1873.		
			Property of R.R. raised.	Other property.	Total.
Piatt.....	Township of Unity.....	\$175, 275	\$75, 899	\$562, 106	\$638, 005
Pike.....	County of Pike.....	5, 474, 948	779, 139	13, 725, 180	14, 484, 319
Pulaski.....	Pulaski.....	656, 003	282, 007	1, 189, 629	1, 471, 636
Randolph.....	Randolph.....	3, 179, 443	219, 317	6, 583, 640	6, 802, 957
Rock Island.....	Township of Canoe Creek.....	82, 253	45, 376	184, 245	229, 621
".....	Moline.....	855, 915	71, 498	3, 006, 322	3, 077, 820
".....	Rock Island.....	1, 602, 831	37, 785	3, 969, 410	4, 007, 195
Saline.....	County of Saline.....	1, 115, 746	617, 400	1, 861, 994	2, 479, 394
Sangamon.....	Sangamon.....	12, 533, 384	731, 861	29, 582, 643	30, 314, 504
Schuyler.....	Schuyler.....	2, 537, 522	152, 169	6, 148, 207	6, 300, 376
Scott.....	Scott.....	1, 487, 093	206, 693	4, 039, 909	4, 246, 602
Shelby.....	Township of Windsor.....	270, 577	35, 644	723, 601	759, 245
".....	Dry Point.....	209, 990	113, 525	504, 559	618, 084
Stark.....	Goshen.....	380, 242	184, 838	794, 779	979, 617
".....	Toulon.....	323, 466	153, 427	1, 225, 985	1, 379, 412
".....	Valley.....	190, 727	116, 849	517, 440	634, 289
St. Clair.....	City of Belleville.....	789, 694	56, 271	3, 037, 603	3, 093, 603
".....	Incorp. Town of Freeburg.....	67, 093	16, 803	168, 183	184, 986
".....	Mascoutah.....	185, 302	13, 909	986, 343	980, 252
".....	New Athens.....	42, 191	18, 599	104, 093	122, 692
Tazewell.....	County of Tazewell.....	5, 123, 190	1, 263, 395	15, 868, 295	17, 131, 690
Vermilion.....	Township of Butler.....	158, 531	143, 442	856, 572	1, 000, 014
".....	Danville.....	1, 588, 694	307, 210	4, 401, 533	4, 708, 743
".....	Elwood.....	401, 873	-----	1, 134, 216	1, 134, 216
".....	Georgetown.....	529, 793	-----	1, 084, 620	1, 084, 620
".....	Grant.....	395, 669	-----	1, 931, 216	1, 931, 216
".....	Rosa.....	552, 317	118, 582	1, 580, 182	1, 698, 764
Wabash.....	County of Wabash.....	921, 217	228, 525	2, 689, 620	3, 018, 145
Warren.....	Warren.....	4, 965, 801	389, 366	10, 810, 381	11, 199, 747
Washington.....	Washington.....	2, 832, 212	346, 931	5, 496, 039	5, 842, 970
Wayne.....	Wayne.....	1, 969, 687	282, 120	4, 624, 115	4, 906, 325
White.....	White.....	1, 772, 060	984, 873	3, 698, 934	4, 683, 807
Whiteside.....	Township of Coloma.....	100, 161	80, 135	716, 620	805, 755
".....	Hahnman.....	68, 166	205, 345	223, 377	422, 732
".....	Prophetstown.....	248, 093	189, 064	687, 279	876, 343
".....	Tampico.....	120, 361	200, 599	367, 474	568, 073
Williamson.....	County of Williamson.....	1, 316, 748	157, 004	2, 467, 429	2, 624, 433
Woodford.....	Township of Cazenovia.....	942, 537	194, 560	658, 790	855, 350
".....	Metamora.....	274, 777	189, 249	779, 328	968, 577
".....	Olio.....	515, 883	25, 329	944, 954	970, 283
Will.....	Incorp. Town of Crete.....	317, 254	-----	822, 305	822, 305
Total.....		\$172, 287, 966	\$34, 760, 562	\$440, 041, 734	\$474, 802, 296

House bill, No. 604, for "An act to revise the law in relation to amendments and jeofails,"

Was taken up and read at large a first time, and ordered to a second reading.

House bill, No. 608, for "An act to revise the law in relation to attorneys and counsellors,"

Was taken up and read at large a first time, and ordered to a second reading.

House bill, No. 620, for "An act to revise the law in relation to the common law,"

Was taken up and read at large a first time, and ordered to a second reading.

House bill, No. 621, for "An act to revise the law in relation to the construction of the statutes,"

Was taken up and read at large a first time, and ordered to a second reading.

House bill, No. 609, for "An act in regard to canal companies,"

Was taken up and read at large a first time, and ordered to a second reading.

House bill, No. 644, for "An act to revise the law in relation to joint rights and obligations,"

Was taken up and read at large a first time, and ordered to a second reading.

House bill, No. 622, for "An act to revise the law in relation to costs,"

Was taken up and read at large a first time, and ordered to a second reading.

House bill, No. 638, for "An act to revise the law in relation to county treasurer,"

Was taken up and read at large a first time, and ordered to a second reading.

House bill, No. 619, for "An act to revise the law in relation to the commitment and detention of lunatics,"

Was taken up and read at large a first time, and ordered to a second reading.

The President presented a petition from the State Board of Agriculture, relating to propagation of fish; which was,

On motion of Mr. Nicholson,

Referred to the committee on agriculture and drainage.

By unanimous consent, the order of House bills on second reading was taken up for consideration.

House bill, No. 502, for "An act to repeal an act entitled 'an act to attach all fractional townships in Kankakee county to full townships for school purposes,'"

Was taken up and read at large a second time, and ordered on file to be considered by sections.

House bill, No. 442, for "An act to amend an act entitled 'Divorce,' approved March 3, 1845,"

Was taken up and read at large a second time, and,

On motion of Mr. Sanford,

Referred to the committee on revision.

By unanimous consent, the order of Senate bills on first reading was taken up for consideration.

Senate bill, No. 506, for "An act to extend to criminal cases the rights of parties defendant to give evidence in their own behalf,"

Was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 437, for "An act to prevent extortion and unjust discrimination in the rates charged for the transportation of freights on railroads in this State, and to punish the same, and prescribe a mode of procedure and rules of evidence in relation thereto,"

Was taken up and read at large a first time, and ordered to a second reading.

Mr. Sanford (by unanimous consent) introduced Senate bill, No. 513, for "An act to amend section 24 of an act entitled 'an act for the assessment of property and for the levy and collection of taxes.'"

Which was ordered to a first reading, and,

On motion of Mr. Sanford,

The rules were suspended, and the bill was read at large a first time, and ordered to a second reading, and referred to the committee on revenue.

Senate bill, No. 499, for "An act to amend an act entitled 'an act to amend the statute relating to partitions,'"

Was taken up and read at large a first time, and ordered to a second reading.

Mr. Thompson, (by unanimous consent) from the committee on elections, to which was referred Senate bill, No. 173, for "An act to provide for registration in case of special elections," and the amendments of the House of Representatives to the bill, reported the same back and recommended that the Senate concur in the adoption of the amendment.

The bill was ordered on file in the order of messages from the House of Representatives.

On motion of Mr. Glenn,

The Senate, at 12:05 o'clock P. M., adjourned until 2:30 o'clock P. M.

#### TWO-THIRTY O'CLOCK P. M.

Senate met, pursuant to adjournment.

By unanimous consent, the order of bills on second reading was taken up for consideration.

Senate bill, No. 410, for "An act to amend an act entitled 'an act for the assessment of property, and for the levy and collection of taxes,' approved March 30, 1872, in force July 1, 1872," was taken up for consideration by sections.

The question being, "Shall the amendment reported by the committee on revision be adopted?" it was decided in the affirmative.

Sections 1 and 2 of the bill were adopted.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 422, for "An act to provide for the release of the dower rights of insane married women," was taken up for consideration by sections.

On motion of Mr. Sanford,

The bill was referred to the joint committee on revision.

Senate bill, No. 206, for "An act in regard to boards of health in counties having a population of more than two hundred thousand inhabitants," was taken up for consideration by sections.

The question being, "Shall the amendments reported from the committee on judiciary be adopted?" it was decided in the affirmative.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20, were adopted.

On motion of Mr. Kehoe,

The further consideration of the pending bill was postponed until Wednesday, January 21st, at 2:30 o'clock P. M.

Senate bill, No. 413, for "An act to insure the enforcement of an act entitled 'an act to amend an act concerning weights and measures,'" was taken up for consideration by sections.

On motion of Mr. Nicholson,

The bill was referred to the joint committee on revision.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, to-wit:

House bill, No. 648, for "An act to punish an officer for being intoxicated while in the discharge of the duties of his office."

House bill, No. 646, for "An act to revise the law in relation to *mandamus*."

House bill, No. 648, for "An act to revise the law in relation to notices."

In the passage of which I am instructed to ask the concurrence of the Senate.

Senate bill, No. 392, for "An act to fix the compensation of members, officers and employees of the General Assembly," was taken up for consideration by sections.

The question being, "Shall the amendment reported by the committee on fees and salaries be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Cusey, Ferrell, Hampton, Hinchcliffe, Palmer, Sanford, Mr. President—8.

Those voting in the negative are,

Messrs. Brooks, Canfield, Cunningham, Glenn, Green, Henry, Hundley, Kehoe, Kelly, Murphy, Nicholson, Patterson, Shepard, Thompson, Ware, Warren, Whiting, Williamson—18.

Sections 1 and 2 were adopted.

Mr. Hampton offered the following amendment:

Amend section 3, first clause, by striking out the word "seven" and insert the word "six."

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Cunningham, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Hundley, Kehoe, Kelly, Nicholson, Palmer, Reynolds, Sheldon, Starnes, Thompson, Warren, Whiting, Williamson—21.

Those voting in the negative are,

Messrs. Canfield, Cusey, Lee, Patterson, Sanford, Shepard, Mr. President—7.

Mr. Ware offered the following amendment, which was lost:

Amend sixth paragraph of section 3, by inserting words "and policeman" after the word "committee."

Section 3 as amended was adopted.

Sections 4 and 5 were adopted.

On motion of Mr. Kelly,

The vote whereby section 1 was adopted was reconsidered.

Mr. Kelly offered the following amendment:

Amend section 1, line 3, after the word "session," by inserting "*Provided*, that no member shall be entitled to any pay while absent, unless by leave of absence."

Mr. Kehoe offered the following amendment to the amendment:

Amend the amendment by striking out the words "unless by leave of absence."

The question being, "Shall the amendment to the amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Cunningham, Glenn, Greene, Hampton, Hinchcliffe, Kehoe, Kelly, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Starnes, Thompson, Ware, Williamson—18.

Those voting in the negative are,

Messrs. Cusey, Ferrell, Henry, Hundley, Lee, Murphy, Sanford, Warren, Whiting—9.

The question being, "Shall the amendment as amended be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Glenn, Green, Hinchcliffe, Kehoe, Kelly, Murphy, Nicholson, Reynolds, Starnes, Voria, Whiting—13.



Those voting in the negative are,

Messrs. Canfield, Cunningham, Cusey, Ferrell, Hampton, Henry, Hundley, Lee, Palmer, Patterson, Sanford, Sheldon, Shepard, Thompson, Ware, Warren, Williamson, Mr. President—18.

Mr. Brooks offered the following amendment, which was lost:

Strike out in section 1, line 3, the following: "And for each session ten cents for each mile necessarily traveled in going to and returning from the seat of government—to be computed by the Auditor of Public Accounts."

Section 1 was adopted.

Mr. Cusey moved to reconsider the vote whereby the amendment reported from the committee on fees and salaries was lost.

And the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Cusey, Ferrell, Glenn, Hampton, Hinchcliff, Hundley, Reynolds, Sanford, Sheldon, Ware, Warren, Mr. President—13.

Those voting in the negative are,

Messrs. Brooks, Cunningham, Green, Henry, Kehoe, Kelly, Lee, Murphy, Nicholson, Palmer, Patterson, Shepard, Starne, Thompson, Voria, Whiting, Williamson—17.

The question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Lee (by unanimous consent) introduced Senate bill, No. 514, for "An act to legalize contracts made on Sunday."

Which was ordered to a first reading, and,

On motion of Mr. Lee,

The rules were suspended, and the bill was read at large a first time, ordered to a second reading, and referred to the committee on judiciary.

Mr. Lee (by unanimous consent) introduced Senate bill, No. 515, for "An act to amend an act entitled 'an act in regard to limitations,' approved April 4th, 1872."

Which was ordered to a first reading, and,

On motion of Mr. Lee,

The rules were suspended, the bill was read at large a first time and ordered to a second reading, and referred to the committee on judiciary.

Mr. Starne (by unanimous consent) offered the following resolution:

*Resolved by the Senate, the House of Representatives concurring, That the Rev. E. C. Wines, D. D., LL.D., of New York, Secretary of the National Prison Association, President of the International Prison Commission, and Commissioner of the United States to the International Prison Congress at London, be and hereby is invited to address the members of this General Assembly on the subject of "Prison Discipline and Reform," in the hall of Representatives, on Wednesday evening, the 21st inst., at 7½ o'clock.*

On motion of Mr. Starne,

The rules were suspended and the resolution was taken up for consideration.

And the question being, "Shall the resolution be adopted?" it was decided in the affirmative.

Mr. Hampton (by unanimous consent) introduced Senate bill, No. 516, for "An act to provide for the election and to prescribe the duties of the supervisor of state institutions and to reorganize the board of trustees of state institutions."

Which was ordered to a first reading, and,

On motion of Mr. Hampton,

The rules were suspended, and the bill was read at large a first time, ordered to a second reading, and referred to the joint committee on revision.

Mr. Murphy (by unanimous consent) introduced Senate bill, No. 517, for "An act to authorize the legislative authority of any incorporated

city in this State to sell parks or any other public grounds or any lands belonging to any such city, or any part of the same which may have become the property of the same by purchase or otherwise."

Which was ordered to a first reading.

Mr. Kehoe (by unanimous consent) offered the following resolution :

*Resolved by the Senate, the House of Representatives concurring herein,* That the committee on printing of the Senate and House be requested to confer together and act in concert in the investigation of the subject of public printing, binding, etc., in this State; and that they report the result of their investigations at as early a day as practicable, to their respective bodies.

On motion of Mr. Kehoe,

The rules were suspended and the resolution was taken up for consideration.

On motion of Mr. Thompson,

The resolution was referred to the committee on printing.

Senate bill, No. 283, for "An act in relation to contempts of court," was taken up for consideration by sections.

Mr. Sanford offered the following amendment:

Amend section 1 by striking out the words, "or to be had," in 4th line of printed bill.

On motion of Mr. Murphy,

The bill and amendment were referred to the committee on judiciary.

Mr. Canfield (by unanimous consent) offered the following resolution, which was laid over under the rule:

WHEREAS, it is a well settled fact that, during the winter, wages and the prices of agricultural products are low, the money market comparatively close, the cost of living comparatively high, work for laborers comparatively scarce, and business stagnant, while, during the spring and summer months, the conditions are more favorable for the payment of taxes by a large majority of the people of this State than during the winter; therefore,

*Resolved,* That the committee on revenue be and they are hereby instructed, at their earliest convenience, to report a bill changing the times for the collection of taxes from the months of December and January to the months of May and June, of each year.

On motion of Mr. Ferrell,

The Senate, at 4:30 o'clock P. M., adjourned.

TUESDAY, JANUARY 20, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by the Rev. Mr. Moore.

The journal of yesterday was being read, when,

On motion of Mr. Glenn,

The further reading of the same was dispensed with.

Mr. Reynolds (by unanimous consent), from the committee on insurance, to which was referred House bill, No. 17, for "An act to enable boards of underwriters incorporated by or under the laws of the State of Illinois, to establish and maintain a fire patrol," reported the same back, and recommended its passage.

The report of the committee was concurred in and the bill ordered on file for a second reading.

Mr. Palmer presented a petition from citizens of Ashkum, Iroquois county, Illinois, relating to the collection of taxes; which, on his motion, was referred to the committee on revenue.

On motion of Mr. Nicholson,

The rules were suspended, and Senate bill, No. 438, for "An act to repeal an act entitled 'an act to provide for the election of additional

supervisors in the county therein named," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 31, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Canfield, Cummings, Cunningham, Cusey, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Hundley, Kehoe, Kelly, Lee, Murphy, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Steele, Warren, Whiting, Williamson, Yager. Mr. President—31.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Canfield (by unanimous consent) introduced Senate bill, No. 518, for "An act in relation to *post mortem* examinations in certain cases."

Which was ordered to a first reading, and,

On motion of Mr. Canfield,

Referred to the committee on counties and township organization.

On motion of Mr. Sanford,

The rules were suspended, and Senate bill, No. 510, for "An act to amend section 91 of an act entitled 'an act in regard to administration of estates,' approved April 1, 1872,"

Was read at large a second time and ordered on file, to be considered by sections.

On motion of Mr. Sanford,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

The consideration of the special order was resumed, being Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence."

The pending question being, "Shall the following amendment be adopted?"

Amend division 1, section 64, by inserting after the word "may," in sixth line, the words "for the first offense," it was decided in the affirmative.

Mr. Kelly offered the following amendment, which was lost:

Amend section 64, line 4, by striking out the word "shall," and insert "may."

Mr. Donahue offered the following amendment:

Amend by striking out section 64, division 1.

The President, at 11 o'clock A. M., announced the time for the special order, being the consideration of the order of bills on second reading by sections.

On motion of Mr. Hampton,

The consideration of the special order was postponed until the pending bill shall be disposed of.

On motion of Mr. Strong,

Debate was ordered closed on the pending amendment.

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Canfield, Donahue, Hinchcliffe, Kehoe, Kelly, Lee, Murphy, Waite—9.

Those voting in the negative are,

Messrs. Archer, Baldwin, Burke, Cummings, Cunningham, Cusey, Dow, Ferrell, Green, Hampton, Henry, Hundley, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starnes, Steele, Strong, Thompson, Ware, Warren, Whiting, Wilcox, Williamson, Yager—29.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 254, for "An act to amend section 5 of an act entitled 'an act in regard to evidence and depositions in civil cases,' approved March 29, 1872."

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the adoption of the following resolution, to-wit:

*Resolved by the Senate, the House of Representatives concurring,* That the Rev. E. C. Wines, D. D., LL. D., of New York, Secretary of the National Prison Association and President of the International Prison Commission, and Commissioner of the United States to the International Prison Congress at London, be and hereby is invited to address the members of this General Assembly on the subject of "Prison Discipline and Reform," in the Hall of the House of Representatives, on Wednesday evening, the 21st inst., at 7½ o'clock.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has adopted the following resolution, to-wit:

WHEREAS, this General Assembly has undertaken to complete the revision of the Statutes begun by the 27th General Assembly; and whereas numerous amendments to the revenue law of 1871-72 have been made by this Assembly, and various bills and resolutions proposing further material changes in said law have been introduced into both houses of this Assembly, and are now pending before said committee; and whereas it is especially desirable, in view of said revision, that the Statutes upon the different subjects embraced therein shall be as compact, concise and clear as possible; therefore,

*Resolved by the House, the Senate concurring herein,* That the revenue committee of the House and of the Senate be and are hereby instructed to jointly prepare a bill revising and consolidating all the various acts now in force on the subject of revenue, embodying therein so much of the matter of the various bills and resolutions now pending before them, and such other provisions, as in their judgment may be advisable; and that they report said joint bill to their respective houses at the earliest practicable moment.

In the adoption of which I am instructed to ask the concurrence of the Senate.

On motion of Mr. Thompson,

The vote whereby the following amendment was adopted, was reconsidered:

Amend division 1, section 64, by inserting after the word "may," in the sixth line, the words "for the first offense."

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Cunningham, Henry, Kelly, Palmer, Patterson, Sanford, Shepard, Ware, Whiting—13.

Those voting in the negative are,

Messrs. Canfield, Cummings, Cusey, Donahue, Dow, Ferrell, Green, Hampton, Hinchcliffe, Hundley, Kehoe, Lee, Murphy, Nicholson, Reynolds, Sheldon, Starne, Steele, Strong, Thompson, Warren, Wilcox, Williamson, Mr. President—24.

Mr. Shepard offered the following amendment, which was adopted:

Amend section 64, division 1, by striking out at the end of the first line the word "public," and by striking out in the second line the words "or so found."

Mr. Murphy offered the following amendment:

Amend section 64, division 1, by striking out all between the words "place," in third line, and "prosecution," in fourth line, and insert "shall, for the first offense, be imprisoned not to exceed twelve hours, and for each subsequent conviction twenty-four hours."

On motion of Mr. Henry,

Debate was ordered closed on the pending amendment.

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Burke, Cusey, Glenn, Hinchcliffe, Kehoe, Murphy, Starne—7.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Canfield, Cummings, Cunningham, Dow, Ferrell, Green, Hampton, Henry, Hundley, Kelly, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Thompson, Waite, Ware, Warren, Whiting, Wilcox, Williamson, Mr. President—28.

Mr. Hampton moved to reconsider the vote whereby the following amendment was adopted:

Amend section 64, division 1, by striking out at the end of the first line the word "public," and by striking out in the second line the words "or so found."

And the question being, "Shall the vote whereby the amendment was adopted be reconsidered?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Cummings, Cunningham, Cusey, Dow, Ferrell, Green, Hampton, Henry, Hundley, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Shepard, Steele, Thompson, Ware, Warren, Whiting, Wilcox, Williamson—23.

Those voting in the negative are,

Messrs. Canfield, Glenn, Hinchcliffe, Kehoe, Murphy—5.

The question then being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Canfield, Glenn, Hinchcliffe, Kehoe, Murphy, Shepard, Starne, Waite—8.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Burke, Cummings, Cunningham, Cusey, Dow, Ferrell, Green, Hampton, Henry, Hundley, Lee, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Steele, Strong, Thompson, Ware, Warren, Whiting, Wilcox, Williamson—27.

Mr. Whiting offered the following amendment, which was lost:

Amend section 64, division 1, by striking out in line one, the word "intoxicated," and insert in line two, after the word "place," the word "intoxicated."

On motion of Mr. Steele,

Leave of absence was granted Mr. Upton until Monday next.

Mr. Ware, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed:

Senate bill, No. 393, for "An act to fix the compensation of the members, officers and employees of the General Assembly."

Senate bill, No. 410, for "An act to amend an act entitled 'an act for the assessment of property, and for the levy and collection of taxes,' approved March 30, 1872, in force July 1, 1872.'

Pending the consideration of the bill,

On motion of Mr. Lee,

The Senate, at 12:20 o'clock P. M., adjourned until 2:30 o'clock P. M.

## TWO-THIRTY O'CLOCK P. M.

Senate met, pursuant to adjournment.

Mr. Cummings (by unanimous consent) offered the following resolution, which was laid over under the rule:

WHEREAS, it is currently reported that the county of Cook has not complied with the law in relation to extending taxes as required by the State Board of Equalization; therefore,

Resolved, That a committee of three be appointed to examine into and report upon the same to the Senate.

Mr. Dow (by unanimous consent), from the committee on fees and salaries, to which was referred House bill, No. 634, for "An act to amend section forty-four of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees," reported the same back, and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading.

The consideration of Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," was resumed.

Mr. Wilcox offered the following amendment, which was lost:

Amend section 58, 3d line, division 1, by striking out the word "fifty" and inserting "one hundred."

Mr. Wilcox offered the following amendment:

Amend section 59, division 1, by striking out the word "fifty" in the 7th line, and inserting the words "one hundred."

And the question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Cummings, Cunningham, Cusey, Ferrell, Green, Henry, Hinchcliffe, Hundley, Patterson, Shepard, Starne, Stroug, Whiting, Wilcox, Williamson—16.

Those voting in the negative are,

Messrs. Brooks, Burke, Dow, Hampton, Kehoe, Kelly, Murphy, Nicholson, Palmer, Reynolds, Sheldon, Thompson, Waite, Ware, Yager—15.

On motion of Mr. Hampton,

The vote whereby the following amendment was lost, was reconsidered: Amend division 1, section 58, 3d line, by striking out the word "fifty," and inserting "one hundred."

And the question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Canfield, Cummings, Cunningham, Cusey, Dow, Ferrell, Green, Hampton, Henry, Hinchcliffe, Hundley, Kelly, Murphy, Nicholson, Palmer, Patterson, Sheldon, Shepard, Starne, Stroug, Thompson, Ware, Whiting, Wilcox, Williamson, Yager—27.

Those voting in the negative are,

Messrs. Brooks, Burke, Kehoe, Reynolds—4.

Mr. Cummings offered the following amendment, which was adopted: Amend division 1, section 61, line 2, by striking out the word "fifty," and inserting in lieu thereof the words "one hundred."

Mr. Hinchcliffe offered the following amendment, which was adopted:

Amend division 1, section 31, by inserting after the word "law" and before the word "or," in line 12th of said section, the following: "Or, in consideration of such officer being authorized in the line of his duty to contract for any advertising or for the furnishing of any labor or materials, shall directly or indirectly arrange to receive or shall receive, or shall withhold from the parties so contracted with, any portion of the contract price, whether that price be fixed by law or by agreement."

Mr. Greene offered the following amendment, which was lost:

Amend division 1, section 86, by striking out all after the word "process," in line 2.

Mr. Canfield offered the following amendment:

Strike out section 130, division 1.

On motion of Mr. Cummings,

Debate was ordered closed on the pending amendment.

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Canfield, Cummings, Cusey, Donahue, Dow, Ferrell, Glenn, Greene, Henry, Hundley, Kehoe, Kelly, Lee, Murphy, Nicholson, Palmer, Patterson, Shepard, Starna, Steele, Strong, Thompson, Waite, Ware, Warren, Whiting, Wilcox, Williamson, Yager—32.

Those voting in the negative are,

Messrs. Archer, Hampton, Hinchcliffe, Reynolds, Sheldon—5.

Mr. Canfield offered the following amendment, which was adopted:

Strike out section 131, division 1.

Mr. Thompson offered the following amendment, which was lost:

Amend section 133, division 1, by adding before the words "any person who shall," in the first line, the following: "Any creditor, heir or devisee of."

Also, by striking out of the 5 $\frac{1}{2}$  and 6 lines the following: "The person so losing and paying or delivering the same."

Also, by inserting after the word "liberty," in line 6, the following: "In the name of the person so losing and paying or delivering any such sum of money or other valuable thing to the use of any such creditor, heir or devisee."

Also, by striking out the following in line 15: "The person who shall lose such money or other thing," and inserting "No creditor, heir or devisee."

Also, by striking out the word "not," in line 16.

Also, by inserting after the word "sell," in line 16, the words, "as aforesaid."

Also, by striking out the word "him," in line 17, and inserting the word "so."

Also, by inserting after the word "person," in line 18, the following: "Other than the person so losing and paying or delivering such money or other valuable thing."

Also, by striking out the words "one-half," in line 20, and inserting the words "two-thirds."

Mr. Sheldon offered the following amendment, which was adopted :

Amend section 129, line 3, by inserting the words "or fornication," after the word "gambling."

Mr. Kehoe offered the following amendment, which was lost :

Amend by striking out section 158, division 1.

Mr. Hinchcliffe offered the following amendment, which was adopted :

Amend section 158, division 1, by striking out the word "other," in line 3, and inserting in lieu thereof the words "any unlawful." And still further amend the same section by inserting after the word "by," in line 4, the words "or obtaining employment from any."

Mr. Hinchcliffe offered the following amendment, which was adopted :

Amend section 159, division 1, by striking out the word "otherwise," in line 1, and inserting in lieu thereof the words "unlawful interference." Also, amend the same section by inserting after the word "working," in line 2, the words "or from obtaining work."

Mr. Ferrell moved to postpone the further consideration of the pending bill until to-morrow morning, immediately after the reading of the journal.

The question being, "Shall the further consideration of the pending bill be postponed?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Brooka, Burke, Cummings, Cusey, Donahue, Dow, Ferrell, Glenn, Hampton, Henry, Hinchcliffe, Kelly, Lee, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Starne, Steele, Thompson, Yager—25.

Those voting in the negative are,

Messrs. Baldwin, Canfield, Hundley, Kehoe, Shepard, Strong, Warren, Whiting, Wilcox, Williamson—10.

On motion of Mr. Ferrell,

The rules were suspended, and the following resolution of the House of Representatives was taken up for consideration:

WHEREAS one Williams, a late convict in the State Penitentiary, recently came to a sudden and unnatural death, caused, as currently reported, by improper treatment by the officers of said penitentiary, in whose charge he was; and, whereas, there are, also, charges and reports that the discipline and punishment of the convicts in said penitentiary are unreasonably severe, and even cruel; therefore,

*Resolved by the House of Representatives, the Senate concurring herein,* That a select committee of five, three from the House and two from the Senate, to be appointed by the Speaker of the House and President of the Senate, respectively, be appointed to thoroughly investigate and inquire in regard to the treatment and cause of death of said Williams, and in regard to the discipline and punishment of said convicts; and that said committee have power to visit said penitentiary and to send for persons, books and papers, and that it report to this General Assembly, with all convenient speed, the result of such investigation and inquiry.

Mr. Wilcox offered the following amendment, which was lost :

Amend the preamble by striking out the words "and unnatural."

Mr. Hampton offered the following amendment, which was adopted :

Amend by adding : "Said committee shall have power to employ a competent short-hand reporter, and are directed to report in full all the testimony taken upon said investigation."

Mr. Nicholson, at 5:40 o'clock P. M., moved to adjourn.

The question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the negative by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Cummings, Donahue, Glenn, Green, Hampton, Henry, Lee, Nicholson, Sheldon, Strong, Thompson, Walte, Warren, Whiting, Wilcox—16.

Those voting in the negative are,

Messrs. Brooks, Burke, Canfield, Cunningham, Cusey, Dow, Ferrell, Hinchcliffe, Kehoe, Kelly, Murphy, Palmer, Patterson, Reynolds, Sanford, Shepard, Starne, Steele, Ware, Williamson, Yager—21.



Mr. Ware, from the joint committee on enrolled bills, begs leave to report that a bill of the following title has been correctly enrolled, on the 20th day of January, 1874 :

Senate bill, No. 254, for "An act to amend section 5 of an act entitled 'an act in regard to evidence and depositions in civil cases,' approved March 29, 1872."

Mr. Ware, from the joint committee on enrolled bills, reports having laid before the Governor on the 20th day of January, 1874, an enrolled bill of the following title, viz :

Senate bill, No. 254, for "An act to amend section 5 of an act entitled 'an act in regard to evidence and depositions in civil cases,' approved March 29, 1872."

Mr. Ware, from the joint committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly engrossed, viz :

Senate bill, No. 510, for "An act to amend section 91 of an act entitled 'an act in regard to the administration of estates,' approved April 1, 1872."

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, to-wit :

House bill, No. 396, for "An act to secure to children elementary instruction."

In the passage of which I am instructed to ask the concurrence of the Senate.

On motion of Mr. Hampton,

The further consideration of the pending resolution was postponed until to-morrow at 11 o'clock A. M.

On motion of Mr. Cummings,

The Senate, at 5:55 o'clock P. M., adjourned.

WEDNESDAY, JANUARY 21, 1874—10 O'Clock A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Moore.

The journal of yesterday was being read, when,

On motion of Mr. Henry,

The further reading of the same was dispensed with.

Mr. Cummings (by unanimous consent) called up the following resolution, which was taken up for consideration :

WHEREAS it is currently reported that the county of Cook has not complied with the law in relation to extending taxes as required by the State Board of Equalization ; therefore,  
Resolved, That a committee of three be appointed to examine into and report upon the same to the Senate.

Mr. Kehoe offered the following amendment to the resolution, which was lost :

Amend by adding after the words "county of Cook" the words "county of Fulton and all other counties."

On motion of Mr. Nicholson,

The previous question was ordered.

The question being, "Shall the resolution be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Burke, Castle, Cummings, Cusey, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Nicholson, Palmer, Patterson, Starnes, Steele, Thompson, Voris, Ware, Warren, Whiting, Wilcox—29.

Those voting in the negative are,

Messrs. Brooks, Canfield, Lee, McGrath, Sanford, Sheldon, Shepard, Strong—8.

Mr. Burke (by unanimous consent) offered the following resolution, which was laid over under the rule:

*Resolved by the Senate, the House concurring.* That his excellency, the Governor, be and he is hereby most respectfully requested to call a convention, to meet in the city of Washington, in the District of Columbia, on the 20th day of February next, for the purpose of petitioning, urging and pressing upon Congress the necessity, expediency and propriety of making an appropriation of an amount sufficient to improve and make navigable, at all times when not obstructed by ice, the Mississippi, Missouri, Ohio and Illinois rivers, and that he address the Governors of the States of Minnesota, Wisconsin, Iowa, Nebraska, Missouri, Kansas, Arkansas, Indiana, Ohio, Pennsylvania, West Virginia, Kentucky, Tennessee, Mississippi and Louisiana, and also the mayor and common council of the cities of St. Paul, Chicago, St. Louis, Cairo, Louisville, Cincinnati, Wheeling, Memphis and New Orleans, requesting them, and each of them, to select and appoint delegates, to meet with ours, hereinafter appointed, in the city of Washington, on the day above named, so that they, by a united and concentrated action, may urge upon and obtain from Congress an appropriation, for such amount as said delegates may, in their judgment (after having canvassed the matter), deem necessary, to carry the object of this resolution into effect; and that said delegates, after having been so appointed and having so met, are hereby requested, and our own delegates instructed, to remain in Washington until the 4th day of March next, if necessary, to urge upon and obtain from Congress such appropriation. And to that end, and to carry out the object contained in this resolution, the Hon. Jos. Gillespie, of Madison county, and Gen. Jas. W. Singleton, of Adams county, be and they are hereby appointed delegates on the part of the State of Illinois.

Mr. Brooks (by unanimous consent) presented a petition from citizens of Will county, relating to the collection of taxes; which, on his motion, was referred to the committee on revenue.

Mr. Sanford (by unanimous consent) made the following reports:

Mr. Sanford, from the committee on judiciary, to which was referred House bill, No. 109, for "An act to repeal section two (2) of an act entitled 'an act to authorize the city of Macomb to elect supervisors and other officers,' approved February 23, A. D. 1867," reported the same back, and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading.

Mr. Sanford, from the committee on judiciary, to which was referred House bill, No. 491, for "An act to amend section two of 'an act to amend chapter twenty-two of the Revised Statutes of 1845, entitled 'Charitable Uses,' in force March 31, 1869," reported the same back, and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading.

Mr. Sanford, from the committee on judiciary, to which was referred Senate bill, No. 502, for "An act to authorize the legislative authority of any city in this State having over two hundred thousand inhabitants to use any money standing to the credit of any city fund, either general or special, to meet the demands on any other city fund in which there may be a deficiency," reported the same back without recommendation.

On motion of Mr. McGrath,

The bill was ordered on file to be considered by sections.

Mr. Sanford, from the committee on judiciary, to which was referred Senate bill, No. 500, for "An act to provide for the payment of railroad debts of counties, townships, incorporated cities and towns," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading.

Mr. Sanford, from the committee on judiciary, to which was referred Senate bill, No. 491, for "An act to amend section 5 of an act entitled 'an act to allow convicts in the penitentiary a credit in diminution of their sentence, and for their being restored to citizenship upon certain conditions,' approved March 19th, 1872," reported the same back, and recommended that it be referred to the joint committee on revision.

The report of the committee was concurred in, and the bill so referred.

Mr. Sanford, from the committee on judiciary, to which was referred Senate bill, No. 484, for "An act in relation to surplus funds in the State treasury placed to the credit of counties, townships, cities and towns for railroad purposes, and providing for transferring the same," reported the same back, and recommended that it do not pass and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

By unanimous consent, Mr. Casey called up Senate bill, No. 493, for "An act to amend an act entitled 'an act in regard to roads and bridges in counties under township organization,'" which, having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 32, nays 2.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Canfield, Castle, Cummings, Cunningham, Cusey, Dow, Ferrell, Glenn, Green, Gundlach, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, Murphy, Palmer, Patterson, Sheldon, Steele, Strong, Thompson, Waite, W. C. Warren, Williamson—32.

Those voting in the negative are Messrs. Sanford and Wilcox.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Hampton,

By unanimous consent, House bill, No. 109, for "An act to authorize the city of Macomb to elect supervisors and other officers, approved February 23, A. D. 1867,"

Was read at large a second time, ordered on file to be considered by sections, and,

On motion of Mr. Hampton,

The bill was discharged from the order of consideration by sections.

And the question being, "Shall the bill be ordered a third reading?" it was decided in the affirmative.

Mr. Patterson (by unanimous consent), from the committee on banks and banking, to which was referred Senate bill, No. 223, for "An act requiring banking associations to make quarterly reports," reported the same back, and recommended it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Patterson, from the committee on banks and banking, to which was referred Senate bill, No. 286, for "An act to provide for annual examinations of savings banks, and to cause them to publish quarterly statements of their financial condition," reported the same back, and recommended it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Williamson (by unanimous consent) introduced Senate bill, No. 519, for "An act for the relief of persons owning or claiming lands or an interest in or touching the same in the county of Cook,"

Which was ordered to a first reading, and,

On motion of Mr. Williamson,

Referred to the committee on judiciary.

Mr. Williamson introduced Senate bill, No. 520, for "An act to enable towns embraced within the limits of any incorporated village of not more than ten thousand inhabitants, which village is composed of two or more towns, and covering an area of six miles square, to be separate and independent of and from such village incorporation."

Which was ordered to a first reading, and,

On motion of Mr. Williamson,

Referred to the committee on counties and township organization.

Mr. Williamson introduced Senate bill, No. 521, for "An act to amend an act entitled 'an act to establish and maintain a system of free schools,' approved April 1, 1872."

Which was ordered to a first reading, and,

On motion of Mr. Williamson,

Referred to the committee on education.

Mr. Baldwin introduced Senate bill, No. 522, for "An act to authorize the trustees of the State Reform School to lease the labor of the inmates."

Which was ordered to a first reading, and,

On motion of Mr. Baldwin,

Referred to the committee on reformatory institutions.

Mr. Kehoe introduced Senate bill, No. 523, for "An act to allow interest and attorneys fees in all cases where suit is brought for the collection of wages."

Which was ordered to a first reading, and,

On motion of Mr. Kehoe,

Referred to the committee on judiciary.

Mr. Wilcox, from the special committee to which was referred House bill, No. 463, for "An act to promote the science of medicine and surgery in the State of Illinois," reported the same back with an amendment.

The bill was ordered on file to be considered by sections.

Mr. Dow (by unanimous consent) called up House bill, No. 634, for "An act to amend section forty-four (44) of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' approved March 29, 1872."

Which was read at large a second time, and ordered on file to be considered by sections, and,

On motion of Mr. Dow,

The bill was discharged from the order of consideration by sections.

And the question being, "Shall the bill be ordered to a third reading?" it was decided in the affirmative.

Mr. Palmer (by unanimous consent) called up the following motion, entered by him on Saturday, January 17, 1874:

"Mr. Palmer moved that the report of the committee on penal institutions, relating to the penitentiary, be printed, and, also, that the testimony taken before the coroner's jury be printed with said report."

On motion of Mr. Palmer,

A division of the motion was ordered.

The question being, "Shall the report of the committee on penal institutions be printed?" it was decided in the affirmative.

The question being, "Shall the testimony taken before the coroner's jury be printed?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Canfield, Castle, Ferrell, Glenn, Hinchcliffe, Jacobs, Kelly, Lee, McGrath, Murphy, Nicholson, Palmer, Patterson, Sheldon, Sterne, Steele, Waite, Ware, Warren, Wilcox—23.

Those voting in the negative are,

Messrs. Burke, Donahue, Green, Gundlach, Hampton, Kehoe, Sanford, Thompson, Voris, Whiting—10.

Mr. McGrath (by unanimous consent) offered the following motion, relating to the report of the committee on penal institutions, which motion was adopted:

"I move that the committee on penal institutions be authorized to print any other written evidence in its possession."

The President, at 11 o'clock A. M., announced the time for the special order, being the consideration of Senate bill, No. 447, for "An act to revise the law in relation to county courts."

On motion of Mr. Waite,

The further consideration of the special order was postponed until Friday, January 23, at 11 o'clock A. M.

A message from the Governor, by Philo J. Beveridge, Private Sec'y :

Mr. President: I am directed by the Governor to lay before the Senate the following written communication :

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 21, 1874.

*To the Honorable the Senate:*

I have the honor to nominate and appoint George R. Maxon as public administrator in and for Fayette county, Illinois, to fill a vacancy, and respectfully ask your concurrence therein.

JOHN L. BEVERIDGE,  
Governor.

A message from the Governor, by Philo J. Beveridge, Private Secretary :

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed a bill of the following title, to-wit :

Senate bill, No. 254, for "An act to amend section 5 of an act entitled 'an act in regard to evidence and depositions in civil cases,' approved March 29, 1872."

The consideration of Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," was resumed.

Mr. Ware offered the following amendment, which was adopted:

Amend division 1, section 191, by adding the words, "Provided, that where the damage done in such case does not exceed fifteen dollars, the punishment shall be by fine not exceeding five hundred dollars or by imprisonment in the county jail not exceeding one year, or both, in the discretion of the court."

Mr. Wilcox offered the following amendment, which was adopted :

Amend division 1 by striking out the word "or," in the 4th line, section 177, and insert after the word "ridicule," "or financial injury."

Mr. Whiting offered the following amendment:

Amend section 201, division 1, by adding the following: "*Provided*, that this section shall not be construed to apply to persons owning sheep, or other domestic animals, who may, in the exercise of reasonable care and good intention, put out poison on his own premises where sheep are kept, to kill sheep-killing dogs."

On motion of Mr. Castle,

Debate on the pending amendment was ordered closed.

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Canfield, Casey, Castle, Cummings, Cunningham, Cusey, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Sheldon, Starne, Steele, Ware, Whiting—28.

Those voting in the negative are,

Messrs. Brooks, Burke, Dow, Sanford, Shepard, Voris, Warren, Wilcox—8.

The President made the following announcement :

In accordance with the resolution to appoint a committee to examine and report upon matter of extending taxes in Cook county, I hereby appoint Senators Cummings, Sheldon and Gundlach.

Mr. Steele offered the following amendment:

Amend section 201 by adding the following: "Any engineer, or person having charge of and running any railroad engine or locomotive, who shall willfully and unnecessarily kill, wound or disfigure any horse, cow, mule, hog or other useful animal, shall, upon conviction, be fined in a sum of not less than the value of the property so killed, wounded or disfigured, and confined in the county jail for a period of not less than ten days."

Pending the consideration of the amendment,

On motion of Mr. Starne,

The Senate, at 12:20 o'clock P. M., adjourned until 2:30 o'clock P. M.

#### TWO-THIRTY O'CLOCK P. M.

The Senate met, pursuant to adjournment.

The consideration of Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," was resumed.

The pending amendment being on the following amendment:

Amend section 201, division 1, by adding the following: "Any engineer, or person having charge of and running any railroad engine or locomotive, who shall willfully or unnecessarily kill, wound or disfigure any horse, cow, mule, hog or other useful animal, shall, upon conviction, be fined in a sum not less than the value of the property so killed, wounded or disfigured, and confined in the county jail for a period not less than ten days."

Mr. Whiting offered the following amendment to the amendment, which was adopted:

Amend amendment by adding: "And any such engineer who shall wantonly or unnecessarily blow the engine whistle so as to frighten any team, shall be liable to a fine of not less than ten (10) dollars nor more than fifty (50) dollars."

The question being, "Shall the amendment as amended be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Castle, Cummings, Cunningham, Cusey, Dow, Ferrell, Glenn, Green, Gundlach, Henry, Hinchcliffe, Kehoe, Kelly, Nicholson, Palmer, Patterson, Sheldon, Shepard, Thompson, Whiting—34.

Those voting in the negative are,

Messrs. Brown, Canfield, Hundley, Jacobs, Sanford, Starne, Steele, Voris, Waite, Warren, Wilcox—11.

Mr. Shepard offered the following amendment, which was adopted:

Amend section 201, division 1, by inserting after the word "thereby," in the third line, as follows, "such animal being the property of an other."

Mr. Shepard offered the following amendment, which was lost:

Amend section 201, division 1, by striking out all of said section after the word "be," in the third line, to and including the word "both," in the fifth line, and inserting the following, "confined in the county jail not exceeding six months, or fined not exceeding five hundred dollars, or both."

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 165, for "An act making an appropriation to pay Robert Tillson & Co. ten thousand dollars, in full for their demand against the State."

Mr. Dow offered the following amendment, which was adopted:

Amend by adding after section 133, division 1, the following section:

"§ 133½. Whoever shall rent or lease to another any building or premises to be used or occupied, in whole or in part, as a common gaming house, or place for persons to come together to play for money or other valuable thing, or bet upon any game of chance, or shall knowingly permit the same to be so used or occupied, such building or premises so used or occupied shall be held liable for, and may be sold to pay any judgment that may be recovered under the preceding section. Proceedings may be had to subject the same to the payment of any such judgment recovered which remain unpaid, or any part thereof, either before or after execution shall issue against the property of the person against whom such judgment shall have been recovered; and when execution shall issue against the property so leased or rented, the officer shall proceed to satisfy said execution out of the building or premises so leased or occupied as aforesaid: *Provided*, that if such building or premises belong to a minor or other person under guardianship, the guardian or conservator of such person, and his real and personal property, shall be held liable instead of such ward, and his property shall be subject to all the provisions of this section relating to the collection of said judgment."

Mr. Sheldon offered the following amendment, which was adopted:

Amend section 208, division 1, fourth line, by inserting after the word "certificate," the words "or city or school order."

Mr. Archer offered the following amendment, which was adopted :

Amend section 207, division 1, as follows : Add at end of section the following, "and may be removed from office."

Mr. McGrath offered the following amendment, which was adopted :

Amend section 127, division 1, by inserting after the word "thing," in line five, the following, "or knowingly rent any such place for such purposes."

Mr. Steele offered the following amendment, which was adopted :

Amend by inserting after section 206, division 1, the following additional section :

"§ 206½. That any officer of a town, village, city, county or State, who shall be intoxicated while in discharge of the duties of his office, shall be fined for the first offense the sum of ten dollars, and for the second offense the sum of twenty dollars, and for the third offense shall be guilty of misdemeanor, and, on conviction of such misdemeanor, shall forfeit his office ; and in such case the vacancy occasioned thereby shall be filled in the same manner as if such officer had filed his resignation in the proper office, and it had been accepted by the proper officer: *Provided*, such acceptance shall have been necessary to make the office vacant. The penalties for the first and second offense given by this section, may be recovered in an action of debt, in the name of the People of the State of Illinois, before any justice of the peace of the proper county, and when collected shall be paid to the county superintendent where such offense shall have been committed, for the use of the school fund."

Mr. Patterson offered the following amendment, which was adopted :

Amend section 208, division 1, by striking out the word "or," in line two, after the word "State," and insert after "county," same line, the words "city or school."

Mr. Canfield offered the following amendment, which was adopted :

Amend section 211, division 1, by inserting before the word "if," in line 16, the word "or."

Mr. Canfield offered the following amendment :

Strike out the words "unless the money not paid over shall amount to one hundred dollars or," in lines 15 and 16, of section 211, division 1.

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote :

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Canfield, Castle, Cummings, Cunningham, Donahue, Glenn, Kehoe, Palmer, Patterson, Steele, Ware, Warren, Whiting, Yager—16.

Those voting in the negative are,

Messrs. Brooks, Cusey, Green, Gundlach, Hampton, Henry, Jacobs, Kelly, Lee, McGrath, Nicholson, Sanford, Sheldon, Starne, Strong, Thompson, Williamson—17.

Mr. Burke offered the following amendment, which was lost :

Amend section 206, division 1, by striking out all after the word "of," in line 2, to the word "or," in line 3, and insert "any law of this State."

Mr. Whiting offered the following amendment, which was lost :

Amend section 63, division 1, lines 2 and 3, by striking out the words "and fails to keep," and insert "unless he keeps."

Mr. Kelly offered the following amendment, which was lost :

Amend section 225, division 1, line 5, by striking out the words "at the jail or other place of custody," and insert in lieu thereof the words



"if at the jail; and if at any other place, to be in the presence of an officer or other persons having such person in charge."

Mr. Canfield offered the following amendment:

Amend section 217, division 1, by inserting after the word "obstruct," in line 10, the words "or encroach upon."

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Canfield, Cusey, Dow, Green, Gundlach, Hinchcliffe, Kehoe, Kelly, Lee, McGrath, Nicholson, Patterson, Sanford, Sheldon, Starne, Thompson, Ware, Whiting—20.

Those voting in the negative are,

Messrs. Cummings, Cunningham, Donahue, Glenn, Hampton, Voris, Waite, Warren—8.

Mr. Thompson (by unanimous consent) introduced Senate bill, No. 524, for "An act to provide for the laying of water-supply pipe by bonds and special assessments, payable in installments."

Which was ordered to a first reading, and,

On motion of Mr. Thompson,

The rules were suspended, the bill was read at large a first time, ordered to a second reading, and referred to the committee on municipalities.

Mr. Yager (by unanimous consent), from the committee on insurance, to which was referred Senate bill, No. 507, for "An act to amend an act entitled 'an act to incorporate and govern fire, marine, and inland navigation insurance companies doing business in the State of Illinois,'" reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading.

Mr. Glenn (by unanimous consent) called up Senate bill, No. 500, for "An act to provide for the payment of the railroad debts of counties, townships, incorporated cities, and towns."

Which was read at large a second time, and ordered on file to be considered by sections.

Mr. Waite (by unanimous consent), from the committee on counties and township organization, to which was referred Senate bill, No. 520, for "An act to enable towns embraced within the limits of any incorporated village of not more than ten thousand inhabitants, which village is composed of two or more towns and covering an area of six miles square, to be separate and independent of and from such village incorporation," reported the same back and recommended that it be printed.

The report of the committee was concurred in, and the bill ordered printed.

Mr. Lee (by unanimous consent) introduced Senate bill, No. 525, for "An act to repeal an act entitled 'an act granting certain privileges to parties resident along the line of the Illinois and Michigan canal,' approved March 27, 1869."

Which was ordered to a first reading, and,

On motion of Mr. Lee,

The rules were suspended, the bill was read at large a first time, ordered to a second reading, and referred to the committee on canals and rivers.

Mr. Dow (by unanimous consent) offered the following resolution, which, on his motion, was referred to the committee on judiciary:

*Resolved by the Senate and House of Representatives of the State of Illinois* (two thirds of the members elected to each house agreeing thereto), That the following amendment be and the same is hereby proposed to the sixth article of the Constitution of the State of Illinois, as section 34 of article:

'Section 34. That the rights of the people may be more speedily ascertained and adjudicated, the General Assembly may, after the year of our Lord 1874, from time to time, divide the State, exclusive of the county of Cook, into such number of Judicial Circuits as may seem necessary—said circuits to be formed of contiguous counties, in as nearly compact form and as nearly equal as circumstances permit, having due regard to business, territory, and population; and the General Assembly may also, from time to time, increase the number of Judges of the Superior Court or Circuit Court of Cook county, or both, to such number as may seem necessary for the speedy dispatch of court business—anything in this Article to the contrary notwithstanding. The Circuit or Superior Court judges may interchange with and assist any other Circuit or Superior Court judge or judges, and may, when assisting, hold a branch court or courts or special term; and the judgments, decrees and orders of any judge or judges interchanging with or assisting any other judge shall have the same force and effect as if such judgment, decree or order had been rendered by the judge or judges in whose court such cause is pending. Any and all parts of Article 6 that are inconsistent herewith are hereby declared abrogated.'

The consideration of Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," was resumed.

Mr. Nicholson offered the following amendment, which was adopted:

Amend section 253, division 1, by inserting after the word "sheep," where it occurs in line 2 and 3, the words "or other domestic animals."

Mr. Kehoe offered the following amendment:

Amend by striking out section 254, of division 1.

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Burke, Gundlach, Hinchcliffe, Kehoe, Kelly, McGrath—6.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brooks, Canfield, Castle, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Hampton, Hundley, Jacobs, Lee, Murphy, Nicholson, Palmer, Patterson, Sanford, Shepard, Sterne, Steele, Strong, Thompson, Voris, Ware, Warren, Whiting, Wilcox, Williamson, Yager, Mr. President—35.

Mr. Kehoe offered the following amendment:

Amend section 254, division 1, by striking out the words "or place where liquor is sold or given away," and inserting the words "and gives away or sells any liquor."

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Burke, Donahue, Dow, Gundlach, Hundley, Kehoe, Kelly, Lee, McGrath, Murphy, Sheldon, Thompson, Voris, Warren, Williamson, Yager—16.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Canfield, Castle, Cummings, Cusey, Ferrell, Glenn, Green, Hampton, Hinchcliffe, Jacobs, Nicholson, Palmer, Patterson, Sanford, Shepard, Sterne, Steele, Strong, Ware, Whiting, Wilcox, Mr. President—23.

Mr. McGrath, from the joint committee on enrolled bills, begs leave to report that a bill of the following title has been correctly enrolled on the 21st day of January, 1874:

Senate bill, No. 165, for "An act making an appropriation to pay Robert Tillson & Co. ten thousand dollars, in full for their demand against the State."

Mr. McGrath, from the joint committee on enrolled bills, reports having laid before the Governor, on the 21st day of January, 1874, enrolled bill of the following titles, to wit:

Senate bill, No. 165, for "An act making an appropriation to pay Robert Tillson & Co. ten thousand dollars, in full for their demand against the State."

The President presented the following communication:

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 21, 1874.

TO HON. JOHN EARLY,  
*President of the Senate :*

SIR: I have the honor to transmit, herewith, a copy of a communication received this day from Hon. E. C. Wines, Secretary of the National Prison Association, and to request that you cause the same to be submitted to the Senate.

Yours, very respectfully,  
JOHN L. BEVERIDGE.

SPRINGFIELD, ILLINOIS, January 21, 1874.

TO THE HON. J. L. BEVERIDGE, *Governor :*

I have the honor to acknowledge the receipt of a communication from yourself, inclosing a copy of a joint resolution of the General Assembly, requesting me to address the members of the Assembly in the Hall of Representatives this evening at half past seven o'clock.

Will you convey to that honorable body my acceptance of their very flattering request, and my appreciation of the honor done me in making it. It will afford me great pleasure to speak as asked on "Prison Discipline and Reform," a subject now attracting increased attention not only in this country but also in Europe, on account of its intimate connection with the problem of civil government.

In acknowledgment of this courtesy I desire also to extend to the members of the Assembly and to your Excellency a cordial invitation to attend the third annual Prison Reform Congress of the United States, to be held in St. Louis, commencing on Wednesday evening, the 13th of May next. The opening address will be delivered on that evening by the Hon. Horatio Seymour, of New York, President of the National Prison Association, who will preside over the session of the body, which will continue during one week.

I have the honor to subscribe myself, with sentiments of the highest personal esteem,

Your obedient servant,

E. C. WINES,

*Secretary of the National Prison Association.*

Mr. Yager offered the following amendment to the bill:

Amend section 254, division 1, by inserting after the word "away," in second line, the following: "with intent to sell or give away liquor."

Pending the consideration of the amendment,

On motion of Mr. Casey,

The Senate, at 5:20 o'clock P. M., adjourned.

THURSDAY, JANUARY 22, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by the Rev. Mr. Moore.

The journal of yesterday was being read, when,

On motion of Mr. Palmer,

The further reading of the same was dispensed with.

The President presented a communication from the Trustees of the Antietam National Cemetery; which,

On motion of Mr. Baldwin,

Was referred to the committee on federal relations.

Mr. Burke (by unanimous consent) offered the following resolution, which was laid over under the rule:

WHEREAS, House bill, No. 370, for "An act to amend an act entitled 'an act to amend section 1 of an act for the registry of electors, and to prevent fraudulent voting,' approved February 15, 1865," and in force from and after its passage, passed the Senate on the 23d day of April, 1873, and only awaited the signature of the Governor to become a law; and, whereas it does not appear that his Excellency, the Governor, signed and approved said bill; and, whereas the constitution of the State of Illinois expressly declares that "any bill which shall not be returned by the Governor within ten days (Sunday excepted) after it shall have been presented to him, shall become a law. In like manner as if he had signed the same, unless the General Assembly shall by their adjournment prevent its return, in which case it shall be filed with his objections in the office of the Secretary of State within ten days after such adjournment, or become a law;" and, whereas, more than ten days having expired (Sunday excepted) since said bill was presented to him; therefore,

Resolved, That the Secretary of State be and he is hereby requested to report to the Senate, at as early a day as possible, the fact as to whether the Governor did, as the constitution provides, file said bill with his objections in his office, or whether he very wisely, very properly and just as he should have done (and, as the lamented Lincoln would say, "sticking close to the people,") retained the bill in his possession until the time or period named in the constitution had expired, and thus let it become the law.

Mr. Hampton (by unanimous consent) introduced Senate bill, No. 526, for "An act to repeal an act entitled 'an act to amend an act authorizing certain persons holding property in trust for the use of the Catholic church and societies thereof in the State of Illinois to convey the same, approved February 24, 1845;' also, to incorporate the Catholic bishop of Chicago, and confirm conveyances made since the 24th day of February, 1845, heretofore, by the Catholic bishop,' approved February 20, 1861."

Which was ordered to a first reading.

The consideration of Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," was resumed.

The pending question being on the following amendment, offered by Mr. Yager on yesterday :

Amend section 254, division 1, by inserting after the word "away," in line 2, the following: "With intent to sell or give away liquor."

On motion of Mr. Cummings,

Debate was ordered closed on the pending amendment.

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Burke, Gundlach, Kehoe, Kelly, Lee, McGrath, Yager—7.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brooks, Brown, Canfield, Castle, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Green, Hampton, Hundley, Jacobs, Murphy, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Starne, Steele, Ware, Warren, Whiting, Williamson, Mr. President—30.

Mr. Lee offered the following amendment, which was lost:

Add to section 254, division 1: "Provided, that this section shall not apply to any room in a tavern or boarding house which may be used as an office or sitting room, and wherein a bar is kept for the sale of intoxicating liquors."

Mr. Archer offered the following amendment, which was adopted:

Amend section 227, division 1: After the words "prize fight," in line 3, insert the following, "or shall accept any such challenge or cause the same to be accepted."

Mr. Green offered the following amendment, which was adopted:

Amend section 261, division 1, line 3, by striking out all of said section after the word "dollars."

Mr. Baldwin offered the following amendment:

Amend section 264, division 1, by striking out all after the word "months," in line 7.

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Castle, Cummings, Cunningham, Donahue, Dow, Ferrell, Glenn, Gundlach, Hampton, Hundley, Jacobs, Kelly, McGrath, Nicholson, Palmer, Patterson, Sanford, Shepard, Starne, Strong, Warren, Whiting—26.

Those voting in the negative are,

Messrs. Archer, Canfield, Cusey, Green, Lee, Ware—6.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to lay before the Senate the following written communication:

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 22, 1874.

*To the Honorable the Senate :*

I have the honor to nominate and appoint William W. Carnes public administrator in and for Richland county, to fill a vacancy, and respectfully ask your concurrence therein.

JOHN L. BEVERIDGE,  
Governor.

A message from the Governor, by Philo J. Beveridge, Private Secretary :

Mr. President: I am directed by the Governor to lay before the Senate the following written communication :

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 22, 1874.

*To the Honorable the Senate :*

I herewith lay before the Legislature a copy of a communication, dated January 9, 1874, from his Excellency Thomas A. Hendricks, Governor of Indiana, relating to the removal of the dam across the Calumet river, at Blue Island, Cook county. This dam, constructed to supply the Calumet feeder to the Illinois and Michigan Canal, is no longer needed for that purpose. The people of Indiana complain, and justly too, that the overflow caused by the dam is injurious to a large body of land in the northwest part of the State, and it is due to our neighboring State that relief be given ; and I respectfully urge upon the Legislature that some action be taken for the removal of said dam.

JOHN L. BEVERIDGE,  
Governor.

STATE OF INDIANA, EXECUTIVE DEPARTMENT,  
INDIANAPOLIS, January 9, 1874.

HON. JOHN L. BEVERIDGE, *Governor of Illinois :*

SIR—At the last session of your General Assembly a bill was pending providing for the payment to Messrs. Pfeiffer and Roll of the damages they would sustain by the removal of the dam across the Calumet river, at Blue Island. The bill failed to pass. The people of Indiana feel that your State should, in some manner, cause the removal of the obstructions. In your letter to me, written just after the close of the last session of your Legislature, you informed me that some measure could be adopted at the present session that would cause the removal of the dam. Will you be pleased to have the matter brought to the attention of your Legislature, to the end that the nuisance to our people may be removed.

The Attorney General of this State would be glad to afford you any information and correspondence on this subject in his possession.

Very respectfully, yours,

THOS. A. HENDRICKS, *Governor.*

Mr. Lee offered the following amendment, which was lost :

Amend section 265, division 1, in line 3: Strike out the words "common pipers" and "organ-grinders."

Mr. Donahue (by unanimous consent), from the committee on railroads, to which was referred Senate bill, No. 416, for "An act to prohibit any State or county officer from receiving, holding or presenting free passes on any railroad running through or into the State of Illinois," reported the same back, and recommended that it lie on the table.

The question being, "Shall the Senate concur in the report of the committee?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Burke, Canfield, Cummings, Cusey, Donahue, Dow, Ferrell, Glenn, Hampton, Kehoe, Kelly, Lee, McGrath, Murphy, Nicholson, Sanford, Sheldon, Starne, Steele, Ware, Warren, Williamson, Mr. President—25.

Those voting in the negative are,

Messrs. Archer, Brooks, Castle, Cunningham, Green, Gundlach, Hundley, Jacobs, Palmer, Patterson, Shepard, Strong, Whiting—13.

Mr. Donahue (by unanimous consent), from the committee on railroads, to which was referred House bill, No. 203, for "An act to provide for fencing railroads, and to secure the safety of persons and property, their prompt transportation, the proper making up of trains, and the management and running of locomotive engines and cars," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

On motion of Mr. Donahue,

The bill and amendments were ordered printed.

The consideration of Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," was resumed.

Mr. Steele offered the following amendment, which was adopted :

Amend by adding the following section to division 1 :

"§ 267. *Witnesses.*—Whoever, by hiring, persuading or otherwise, induces any witness in any criminal cause, or any person having knowledge of any fact tending to show the guilt or innocence of any person suspected or charged with having committed a crime, to leave the State, or secrete himself so that he cannot be produced as a witness at any examination or trial of the person so suspected or charged, shall be fined not exceeding one thousand dollars or confined in the county jail not exceeding one year, or both."

Leave of absence was granted Senators Henry, Waite, Wilcox, Thompson, Hinchliffe, Casey, Voris, Youngblood and Reynolds.

Pending the consideration of the bill,

On motion of Mr. Whiting,

The Senate, at 12:10 o'clock P. M., adjourned until 2:30 o'clock P. M

#### TWO-THIRTY O'CLOCK, P. M.

Senate met, pursuant to adjournment.

Mr. Brooks (by unanimous consent) called up Senate bill, No. 192, for "An act regulating the labor of the convicts of the penitentiary of the State," which, having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 19, nays 16.

Those voting in the affirmative are,

Messrs. Archer, Brooks, Brown, Burke, Canfield, Castle, Cusey, Dow, Glenn, Hundley, Jacobs, Kahoe, Kelly, McGrath, Murphy, Palmer, Starnes, Warren, Mr. President—19.

Those voting in the negative are,

Messrs. Baldwin, Cummings, Cunningham, Donahue, Ferrell, Green, Gundlach, Hampton, Nicholson, Sanford, Sheldon, Shepard, Strong, Ware, Whiting, Yager—16.

Mr. Cummings entered a motion to reconsider the vote whereby the bill was lost.

Mr. Hampton (by unanimous consent) called up Senate bill, No. 526, for "An act to repeal an act entitled 'an act to amend 'an act authorizing certain persons holding property in trust for the use of the Catholic church, and societies thereof in the State of Illinois, to convey the same,' approved February 24, 1845; also, to incorporate the Catholic Bishop

of Chicago, and confirm conveyances made, since the 24th day of February, 1845, heretofore made by the Catholic Bishop of Chicago, approved February 20, 1861."

Which was read at large a first time, and ordered to a second reading, and,

On motion of Mr. Hampton,

Referred to the committee on corporations.

Mr. Murphy (by unanimous consent) introduced Senate bill, No. 527, for "An act to incorporate and establish the Illinois Inebriate Asylum, for the reformation of inebriates."

Which was ordered to a first reading, and,

On motion of Mr. Murphy,

Was read at large a first time, and ordered to a second reading, and referred to the committee on state charitable and educational institutions.

The consideration of Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," was resumed.

Mr. McGrath offered the following amendment:

Amend section 63, division 1, by inserting after the word "acid," in line 2, the words "or intoxicating liquor."

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Burke, Castle, Cummings, Cunningham, Cusey, Donahue, Gundlach, Hampton, Hundley, Jacobs, Kehoe, McGrath, Nicholson, Sheldon, Starne, Strong, Ware, Warren, Whiting, Yager—21.

Those voting in the negative are,

Messrs. Archer, Brooks, Canfield, Dow, Ferrell, Glenn, Green, Lee, Palmer, Sanford, Shepard, Mr. President—12.

Mr. McGrath offered the following amendment:

Amend section 63, division 1, by adding the words, "intoxicating liquors, when used in this section, shall only apply to such liquors sold by druggists."

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Burke, Castle, Cummings, Cusey, Green, Gundlach, Hundley, Kehoe, Kelly, Lee, McGrath, Starne, Ware, Warren, Yager—16.

Those voting in the negative are,

Messrs. Archer, Brooks, Canfield, Cunningham, Donahue, Dow, Ferrell, Glenn, Hampton, Jacobs, Nicholson, Palmer, Sanford, Sheldon, Shepard, Strong, Whiting, Mr. President—18.

Mr. Donahue moved to reconsider the vote whereby the following amendment, offered by Mr. McGrath, was adopted:

Amend section 63, division 1, by inserting after the word "acid," in line 2, the words "or intoxicating liquors."

The question being, "Shall the vote whereby the amendment was adopted be reconsidered?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Brooks, Canfield, Cusey, Donahue, Dow, Ferrell, Glenn, Gundlach, Kehoe, Lee, McGrath, Murphy, Palmer, Sanford, Sheldon, Shepard, Starne, Warren, Williamson, Yager, Mr. President—23.

Those voting in the negative are,

Messrs. Baldwin, Burke, Cummings, Cunningham, Hampton, Hundley, Jacobs, Kelly, Nicholson, Patterson, Strong, Ware, Whiting—13.

The question then being on the adoption of the amendment, Mr. Lee offered the following amendment to the amendment, which was lost :

Amend the amendment, by adding after the word "liquors," "except when compounded with medicine."

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Cummings, Cunningham, Hampton, Jacobs, Kelly, Nicholson, Strong, Whiting—9.

Those voting in the negative are,

Messrs. Archer, Brooks, Burke, Canfield, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hundley, Kehoe, Lee, Murphy, Palmer, Patterson, Sanford, Sheldon, Shepard, Starne, Warren, Williamson, Yager, Mr. President—25.

Mr. McGrath offered the following amendment, which was adopted :

Amend section 63, division 1, by inserting after the word "sells," in first line, the words "or give away."

Mr. Whiting offered the following amendment :

Amend section 63, division 1, by striking out the first paragraph, ending with word "neglect," and insert: "Every druggist or other person who sells or gives away any arsenic, strichnine, corrosive sublimate, or prussic acid, with or without the written prescription of a physician, shall keep a record of the date of every such sale, the article and amount thereof sold, and the person to whom delivered; and for any failure to keep such record, such druggist or other person so selling shall be fined not exceeding fifty (\$50) dollars."

On motion of Mr. Castle,

Debate on the pending amendment was ordered closed.

And the question being, "Shall the amendment be adopted?" it was decided in the negative.

Mr. McGrath offered the following amendment, which was adopted :

Amend section 63, division 1, by adding in the third line, after the word "sale," the words "or gifts." Also, add, in same line, after the word "sold," the words "or given away."

On motion of Mr. Whiting,

The executive message of to-day, relating to dam across Calumet river, was taken up and referred to the committee on canals and rivers.

Mr. Shepard (by unanimous consent), from the committee on appropriations, to which was referred Senate bill, No. 367, for "An act to provide the necessary revenue for State purposes," reported the same back, and recommended it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Yager (by unanimous consent), from the committee on insurance, to which was referred Senate bill, No. 505, for "An act to amend an act entitled 'an act to organize and regulate the business of life insurance,'" reported the same back, and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading.

On motion of Mr. Cummings,

Leave of absence was granted Mr. Steele, on account of sickness.

Mr. Castle, at 4:45 o'clock P. M., moved to adjourn.

And the yeas and nays being demanded, it was decided in the negative, by the following vote:



Those voting in the affirmative are,

Messrs. Archer, Baldwin, Castle, Cusey, Donahue, Gundlach, Kehoe, McGrath, Nicholson, Palmer, Shepard, Strong, Ware—13.

Those voting in the negative are,

Messrs. Brooks, Canfield, Cummings, Cunningham, Dow, Ferrell, Glenn, Green, Hampton, Hundley, Jacobs, Kelly, Patterson, Sanford, Sheldon, Starne, Williamson, Yager, Mr. President—19.

The consideration of Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," was resumed.

Mr. Jacobs offered the following amendment, which was adopted:

Amend section 2, division 2, by striking out the word "and," where it last occurs in the first line, and insert the word "or."

Mr. Murphy offered the following amendment, which was adopted:

Amend section 4, division 2, by inserting after the word "child," in the second line, the words "brother or sister."

Mr. Hampton offered the following amendment, which was lost:

Amend section 5, division 2, line 4, after the word "county" add the words "who shall be named therein."

Mr. Whiting offered the following amendment, which was lost:

Amend section 10, division 3, by adding "and shall be by him filed of record in said court."

Mr. Canfield offered the following amendment, which was lost:

Amend section 11, division 3, by striking out the word "five," in line 9, and inserting the word "ten."

Mr. Archer offered the following amendment:

Amend section 11, division 3, as follows: After the word "defendant," in 11th line, add the words "served with process." Strike out the words "the defendants," in 12th line, and insert the word "they" in lieu thereof." Strike out all after the words "open court," in 16th line, down to the proviso.

On motion of Mr. Sheldon,

Debate on the pending amendment was ordered closed.

The question being, "Shall the amendment be adopted?" it was decided in the negative.

On motion of Mr. Murphy,

The Senate, at 5:10 o'clock P. M., adjourned.

FRIDAY, JANUARY 23, 1874—10 O'clock A. M.

The Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Moore.

The journal of yesterday was being read, when,

On motion of Mr. Cummings,

The further reading of the same was dispensed with.

Mr. Nicholson, (by unanimous consent) from the committee on revenue, to which was referred Senate bill, No. 504, for "An act to repeal an act entitled 'an act in regard to the assessment of property and the levy and collection of taxes by incorporated cities in this State,' approved April 15th, 1873," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading.

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 425, for "An act to authorize the establishment of a ferry across the Illinois River."

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, to-wit:

House bill, No. 605, for "An act to revise the law in relation to apprentices."

In the passage of which I am instructed to ask the concurrence of the Senate.

The consideration of Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," was resumed.

Mr. Hampton offered the following amendment, which was lost:

Amend division 7, section 19, by striking out all of line 2 after the word "witnesses," where it first occurs, and inserting in line 3 the word "shall" in place of the word "may," and by striking out of line 3 the words, "in his discretion."

Mr. Baldwin offered the following amendment:

Add to section 19, division 7, "Provided, that no such minor or married woman shall be required to give other security than his or her own recognizance for such appearance."

On motion of Mr. Cummings,

Debate was ordered closed on the pending amendment.

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cummings, Cusey, Donahue, Dow, Glenn, Green, Gundlach, Hampton, Hundley, Jacobs, Lee, Murphy, Nicholson, Palmer, Patterson, Sheldon, Shepard, Strong, Ware, Warren, Whiting, Yager—24.

Those voting in the negative are,

Messrs. Archer, Brooks, Brown, Burke, Kelly, McGrath, Sanford—7.

Mr. Whiting offered the following amendment, which was adopted :

Amend division 10, section 2, by striking out in line 2 the word "oath" and insert "affidavit."

Mr. Sheldon offered the following amendment:

Amend section 9, division 10, by inserting after the word "the" where it first occurs in line 2, the words "railroad cars or." Also, insert after word "the," in 4th line, the word "car." Also, after the word "the," where it occurs in 5th line, the words "journey or."

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brown, Kehoe, Strong, Thompson—4.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brooks, Burke, Cummings, Cusey, Donahue, Dow, Ferrell, Glenn, Gundlach, Hampton, Hinchcliffe, Hundley, Jacobs, Lee, McGrath, Murphy, Nicholson, Palmer, Sanford, Shepard, Starue, Steele, Ware, Warren, Williamson, Yager—28.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to lay before the Senate the annual report of the Board of Commissioners of Public Charities:

OFFICE OF THE BOARD,  
SPRINGFIELD, ILL., January 6, 1874.

To His Excellency JOHN L. BEVERIDGE,

*Governor of the State of Illinois :*

SIR: We have the honor to make to you the following brief report of the action of this Board during the past year.

The duties of the Board, under the law, are: first, the visitation and inspection of the State institutions; and, second, the visitation and inspection of county jails and almshouses.

I. THE STATE INSTITUTIONS.—All of the public institutions of this State have been visited officially by us, individually or jointly, as required by law, twice during the year. We have found them generally in a condition of efficiency highly creditable to the officers and trustees, and honorable to the State. We are of the opinion that few, if any, of the states of the Union have greater reason for just pride in their public institutions than the State of Illinois.

The various building enterprises generously provided for by the liberality of the General Assembly are in a satisfactory state of forwardness. The Industrial University building, at Champaign, is completed, dedicated and occupied. At Anna, the north wing of the Southern Insane Hospital has also been completed and opened for the reception of patients. The same may be said of the dining room and hospital building of the Institution for the Education of the Deaf and Dumb, at Jacksonville. The school building for the deaf and dumb has not made much progress above the foundation. The Eye and Ear Infirmary, at Chicago, has laid the foundation of its new building, and no more. The center building of the Institution for the Education of the Blind, at Jacksonville, is under roof. The Northern Insane Hospital, at Elgin, has contracted for the completion of the entire building, and the whole will probably be ready for occupancy by the middle of next summer. At Carbondale, the plasterers are now at work in the new edifice designed for the use of the Southern Normal University. The Insane Hospital, at Jacksonville, has erected this year a carpenter shop and an ice house, and has partially completed a new filter, besides finishing and furnishing the chapel. A small frame building, used as a dormitory and wash-room for male pupils, has been erected by the School for Feeble-Minded Children, at Jacksonville. At Normal, the Normal University has put in new boilers, and made the long contemplated improvements in the apparatus for heating and ventilation. The aggregate cost of the building done by the State institutions, during the past year, considerably exceeds four hundred thousand (\$400,000) dollars. At most of these institutions other minor improvements have been made, which we forbear mentioning in detail.

The Trustees of the Northern Insane Hospital contracted for the erection of the south wing during the year 1873, in advance of the appropriation for that purpose becoming due; and had, on the first day of last December, orders on the treasurer of that institution outstanding, bearing six per cent. interest from date, and payable April 1, 1874, to the amount of eighty-one thousand two hundred and forty-nine dollars and twenty-seven cents (\$81,249 27). The total interest on these orders will slightly exceed two thousand (\$2,000) dollars. We think that this transaction, though there may be no law for it, will diminish the cost of erecting the hospital, besides securing its completion from six to nine months earlier than it would otherwise be possible. The Trustees confidently

expect to have it ready for the reception of patients on or before the first of next September, and we regard the early use of that hospital by the insane of the State as of far more value to the public than the amount of the interest.

The center building of the Southern Insane Asylum would have been substantially completed by this time, but for a clerical or typographical error in the appropriation act, which was understood by all parties to make an appropriation of \$99,000, payable out of the levy of 1872, but by some blunder the act was finally printed and passed with the year 1873 substituted for 1872, which has necessitated an unforeseen and unintended delay in the erection of the center building.

We think that the language of the fourth section of the act creating this board obliges us to call the attention of your Excellency to the fact that the contract made by the Trustees of the Institution for the Deaf and Dumb, for the erection of a school building, chapel, dining room and hospital, exceeds the appropriation made for that purpose, by eighteen thousand seven hundred and ninety-two (\$18,792) dollars, which we regard as unauthorized. The trustees, in their report, say that they hope to meet all obligations incurred on these buildings, without further aid from the State; but inasmuch as we know of no funds now in possession of the institution, or likely to come into its possession, sufficient in amount for this purpose, and as the diversion of the current expense appropriation to other purposes is forbidden both by the constitution and by the laws, we presume that this statement means nothing more than that they have provided in their contract for the cessation of work upon the chapel and school buildings whenever the funds already appropriated are exhausted. The expression is ambiguous, at least. We also call your Excellency's attention to the additional fact that the new boiler house and heating apparatus have been already erected, and the money expended on this account, which the trustees, in their report, say that they obtained by negotiating with private parties, "without entailing any expense upon the Institution or State," has in fact been drawn out of the State treasury. On the other hand, it gives us pleasure to state that the plans finally adopted for the erection of the buildings by this institution have been materially altered from the original design, and that the alterations obviate, in a great degree, the criticism upon the former plans contained in our last report. Instead of erecting one building, with wings enfolding the rear building, the trustees have laid the foundation of a school building and chapel at a distance and entirely detached from all the present buildings, thus securing a better organization of the institution, greater security against fire, and a result every way more satisfactory. We are also highly pleased with the boiler house, boilers and heating apparatus.

With regard to the financial management and condition of the State institutions, we have to report, that in consequence of unavoidable delay, on the part of some of them, in replying to a schedule of questions submitted by us, we are compelled to postpone for a short time the special statement called for by a resolution of the House of Representatives, adopted at its last session; but will have it ready as soon as possible. We find that in two of the insane hospitals of the State a deficiency exists at present, amounting, in the Northern, to (\$11,290 84) eleven thousand two hundred and ninety dollars and eighty-four cents, on current expense account, and in the Southern, to (\$16,696 84) sixteen thousand six hundred and ninety-six dollars and eighty-four cents, upon

building and furnishing account. The latter deficiency has arisen in consequence of the building commissioners failing to ask at the last session of the General Assembly for sixteen thousand (\$16,000) dollars, then due Mr. Shinnick, the contractor, on his contract for the erection of the north wing; of which liability this Board had and could have no information, in the absence of any statement of the same on the part of the said commissioners. The deficiency at Elgin has arisen during the year, but is largely offset by the amount of fuel and other supplies for the winter already purchased and now on hand; and the superintendent and trustees anticipate that by economy this deficiency can be wiped out before next December. We hope that this expectation may be realized, but we are less confident of it than they, unless a further appropriation for current expenses is made at the present session.

Several new appropriations are requested at the hands of the General Assembly, at its present session, which have been referred to us by the trustees for endorsement and remark.

The Northern Hospital for the Insane asks an appropriation of three thousand (\$3,000) dollars for furnishing the lower story of the north wing for the use of patients, as soon as it shall be vacated by the officers, on completion of the center building; three thousand (\$3,000) dollars with which to build a refrigerating and smoke-house, for the storage of fragile and perishable supplies—the only place for such storage at present being the basements under the wards; and an additional appropriation for current expenses for the maintenance of two hundred and twenty-five additional patients, to date from the completion and occupancy of the south wing. On the supposition that the Legislature sees fit to make any further appropriation to any of the State institutions, at its present session, we approve all these requests, particularly that for a current expense appropriation, without which the south wing can not be used before the spring or summer of 1875.

The Southern Insane Hospital requests an appropriation of (\$66,196 84) sixty-six thousand one hundred and ninety-six dollars and eighty-four cents, in thirteen items, as follows:

1st.	To pay off indebtedness.....	\$16,696 84
2d.	To finish dams and reservoirs.....	3,000 00
3d.	To erect pump house.....	1,500 00
4th.	To seat and furnish chapel.....	1,500 00
5th.	To extend sewers and build cisterns for holding and utilizing sewerage.....	2,000 00
6th.	For barn, ice house and vegetable cellar.....	10,000 00
7th.	Additional furniture for north wing.....	4,000 00
8th.	For fencing and improving grounds.....	6,000 00
9th.	Making road along right of way from Anna to hospital.....	10,000 00
10th.	To erect coal house.....	5,500 00
11th.	For carpenter shop, engine shop and tools.....	2,000 00
12th.	For additional stock, carriage and wagons.....	2,500 00
13th.	For library, musical instruments and amusements.....	2,000 00

\$66,196 84.

Of these items, all except the sixth, eighth and ninth have our unqualified approval. The sixth item might, we think, be somewhat reduced in amount; and the eighth and ninth, though desirable and perhaps necessary, might be postponed until another year. We hesitate to speak definitely, because we do not know what the resources of the State at present are. The other items will commend themselves to any committee of the Legislature which may visit the institution. The amount asked for shops and machinery is probably less than ought to be asked and granted. Of the deficiency of \$16,696 84, ten thousand (\$10,000) dollars is due for furniture. The purchase of this furniture was a necessity in order to enable the institution to open. This amount has been

temporarily borrowed from the center building fund, but will require to be replaced.

We are informed by the Superintendent of the Institution for the Education of the Blind, that an appropriation, we do not know of what amount, will be needed for heating and furnishing the new center building. The trustees have not communicated with us upon the subject.

The application of the Southern Normal University for ten thousand dollars for fencing and grading is probably reasonable and just; but we think that a smaller appropriation for this purpose would answer for the present year, and that the institution is in more pressing need of a library and apparatus than of funds for ornamentation of the grounds. We hope that the General Assembly will be able and willing to appropriate a proper amount for these purposes.

The Soldiers' Orphans' Home wishes fifteen thousand (\$15,000) dollars for refurnishing the building and for outside improvements. A carefully prepared estimate has been submitted to us by the trustees, as follows:

Bedsteads, beds and bedding.....	\$9,877 75
Carpets and matting.....	1,285 00
Furnishing Chapel.....	1,000 00
School desks.....	375 00
Kitchen and dining-room furniture.....	500 00
Constructing cisterns.....	1,000 00
Hog pens and cattle sheds.....	1,200 00
	<b>\$15,237 75</b>

That a large amount of new furniture is greatly needed by this institution, we know to be the case from our personal inspection and observation. Whether all that is asked is indispensably required, we are not prepared to say. We do not know, however, at present, where to cut the estimate, if at all, for the reason that at the time of our last visit to the Home the officers were absent in Chicago, ascertaining the prices of furniture, etc., and we had no opportunity for consultation with them, or for close and accurate examination of the degree of dilapidation of the furniture now in the building, which we regret.

We renew all the recommendations concerning appropriations now pending before the General Assembly, contained in our last report. All the reasons therein set forth for the enlargement and permanent establishment of the Institution for Feeble-Minded Children still exist, with undiminished force. With regard to the Industrial University, we congratulate that institution and the State that the clearer view of their mutual relations, secured by the legislation of last session, affords a solid basis for confidence on the part of the Legislature in voting whatever appropriations for its successful maintenance the Assembly may deem to be necessary and judicious. The University, we believe, needs some small appropriations not yet formally asked of the Assembly; but the trustees have not decided whether to make any further application for funds at this session, nor, if so, in what amount, or of what character.

Some other new legislation concerning some of the institutions will probably be required before long, if not immediately.

To prevent misunderstandings and conflict between the three insane hospitals of the State, some plan needs to be agreed upon for determining to which of the three, application for admission, from the several counties, should originally be sent; and also, in case of transfers of patients from one to another, by whose authority, and in what mode, and at whose expense, such transfers should be made.

Since the appointment by your Excellency of trustees for the two southern institutions—the Insane Hospital and the Normal University—we think that the building commission, heretofore appointed, might now be very well dispensed with, and thus the conflict of jurisdiction likely to arise between such a commission and the trustees be avoided. The trustees can easily discharge all the duties involved in the completion of the buildings, and thus the expense of the commission, which is considerable, be saved to the State.

One point in the management of the Soldiers' Orphans' Home, we think, requires notice, namely, the large number of inmates, of both sexes, but especially of girls, above the legal age at which the law directs their discharge. We know the difficulty and delicacy of the subject; but we believe that if the law is right it should be more rigidly enforced than it now is, and if wrong, it should be amended. It is not obeyed. We also believe that the interest of the orphan children in the Home demands constant, intelligent, discriminating effort on the part of the trustees to find good homes in private families for as many of them as possible, and to this end we recommend the appointment, by the trustees themselves, of a competent visiting agent, upon whom the duty of searching for suitable homes shall devolve, under their direction. Such an officer might be of very great service in many ways, in preventing imposition upon the institution and upon the State, and in obtaining situations and employment for the inmates when discharged. We know that the children in the Home are well cared for and kindly treated; but no institution life can supply the lack of those personal attachments and endearments which form the charm and value of life in the family.

II. *The County Institutions.*—The law creating this Board contemplates an annual visitation of the county jails and almshouses of the State, and a report to the Legislature upon their condition and management.

Our experience, in the discharge of this duty, has convinced us of the wisdom and necessity of such inspection by State authority. The results have been valuable, in the correction of abuses and the improved treatment of inmates. We regard this, in fact, as the most important function of the Board.

At the same time, the amount of labor requisite to its performance is greater than any one, without personal experience of it, can imagine, and the commissioners have not felt justified (without compensation for their loss of time, and the injury done to their private business by frequent and protracted absences from home,) in fully complying with the letter of the statute; but have complied with its spirit by devolving this duty for the present upon the Secretary of the Board, who has spent all the time which could be spared from other official duties, during the past year, in the work of county visitation. The Board hopes to submit to the next General Assembly what they believe will prove to be the most accurate, comprehensive and thorough report upon this subject ever presented to any Legislature in any State.

The Secretary of the Board, under our direction, has also spent considerable time, during the year, in the minute examination of the accounts and books of the several State institutions, with a view to securing greater accuracy and uniformity in them, especially in the financial records. This work is not yet completed, but we think that by the close of the present year we shall be able to secure such a degree of system

and exactness in the accounts of all of them, as will enable us to make a clear and trustworthy exhibit of everything pertaining to their financial management—their receipts, expenditures, balances and liabilities, during and at the end of each quarter, if not of every month. The value of such thorough oversight, in the matter of expending such vast sums of money, especially of public funds, cannot be questioned. While the books are generally very well kept, there are some exceptions to the rule, and much remains to be done before they can be commended, as a whole, without reserve.

In conclusion, the Board desire to express their high appreciation of the interest in the work of the Board and of the State institutions manifested by your Excellency. We shall endeavor to continue to merit your approval and that of the General Assembly.

All of which is respectfully submitted.

S. M. CHURCH,  
Z. B. LAWSON,  
J. C. CORBUS.

Attest:

FRED. H. WINES, *Secretary*.

Mr. Lee offered the following amendment, which was adopted:

Amend section 2, division 9, in 2d line, strike out words "upon his own knowledge or."

Mr. Hinchcliffe offered the following amendment:

Amend by striking out section 263, of division 1.

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Brown, Cummings, Donahue, Hampton, Hinchcliffe, Kehoe, Kelly, McGrath, Thompson, Yager—11.

Those voting in the negative are,

Messrs. Archer, Baldwin, Burke, Castle, Cusey, Dow, Ferrell, Glenn, Green, Jacobs, Murphy, Nicholson, Palmer, Patterson, Sanford, Shepard, Starnes, Steele, Ware, Warren, Whiting, Wilcox, Williamson—23.

Pending the consideration of the bill,

On motion of Mr. Canfield,

The Senate, at 12:50 o'clock P. M., adjourned until 2:30 o'clock, P. M.

TWO-THIRTY O'CLOCK, P. M.

Senate met, pursuant to adjournment.

Mr. McGrath, from the joint committee on enrolled bills, begs leave to report that a bill of the following title has been correctly enrolled on the 23d day of January, A. D. 1874:

Senate bill, No. 425, for "An act to authorize the establishment of a ferry across the Illinois river."

Mr. McGrath, from the joint committee on enrolled bills, reports having laid before the Governor on the 23d day of January, A. D. 1874, enrolled bill of the following title, to-wit:

Senate bill, No. 425, for "An act to authorize the establishment of a ferry across the Illinois river."



The consideration of Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," was resumed.

Mr. Steele offered the following amendment:

Amend by inserting, in place of section 130, the following:

"§ 130. *Gambling in Grain, etc.*—Whoever contracts to have or give to himself or another the option to sell or deliver, at a future time, any grain, or other dead victual, stock of any railroad or other company, or gold, or forestalls the market by spreading false rumors to influence the price of commodities therein, or corners the market, or attempts to do so in relation to any of such commodities, shall be fined not less than ten dollars nor more than one thousand dollars, or confined in the county jail not exceeding one year, or both; and all contracts made in violation of this section shall be considered gambling contracts, and shall be void."

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Canfield, Castle, Cummings, Cusey, Hampton, Hincholiffe, Kelly, Murphy, Palmer, Sheldon, Starne, Steele, Ware, Whiting—15.

Those voting in the negative are,

Messrs. Brooks, Burke, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hundley, Jacobs, Kehoe, Lee, McGrath, Nicholson, Patterson, Sanford, Shepard, Thompson, Warren, Wilcox, Williamson, Yager—22.

Mr. Sanford moved to reconsider the vote whereby the amendment offered by Mr. Steele was lost.

The question being, "Shall the vote whereby the amendment was lost be reconsidered?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Canfield, Castle, Cummings, Cusey, Donahue, Glenn, Green, Hampton, Hincholiffe, Jacobs, Murphy, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Starne, Steele, Ware, Whiting—23.

Those voting in the negative are,

Messrs. Burke, Dow, Ferrell, Hundley, Kehoe, Lee, McGrath, Warren, Wilcox, Williamson, Yager—11.

The question being, "Shall the amendment be adopted?"

By unanimous consent, the consideration of the pending amendment was postponed, and the amendment was ordered printed.

Mr. Sheldon offered the following amendment, which was adopted:

Amend section 10, division 11, by adding, after word "court," in first line, "or other person." Also, amend second line by inserting "or about to be found" after the word "found."

Mr. Patterson offered the following amendment, which was adopted:

Add to section 6, division 13, "*Provided, however,* that a defendant in any criminal case or proceeding shall only at his own request be deemed a competent witness, and his neglect to testify shall not create any presumption against him, nor shall the court permit any reference or comment to be made to or upon such neglect."

Mr. Sanford offered the following amendment:

Amend by striking out section 6, of division 13.

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are, '

Messrs. Cummings, Cusey, Donahue, Glenn, Green, Kelly, Murphy, Palmer, Sanford, Shepard, Sterne, Warren—12.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brooks, Burke, Canfield, Castle, Dow, Ferrell, Gundlach, Hampton, Hinchcliffe, Hundley, Jacobs, Kehoe, Lee, McGrath, Nicholson, Patterson, Sheldon, Steele, Strong, Thompson, Ware, Whiting, Williamson, Yager, Mr. President—27.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to lay before the Senate the following written communication:

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 23, 1874.

*To the Honorable the Senate:*

I have the honor to nominate and appoint John C. White, public administrator in and for Effingham county, to fill a vacancy. In this appointment I respectfully ask your concurrence.

JOHN L. BEVERIDGE,  
Governor.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to lay before the Senate the following written communication:

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 23, 1874.

*To the Honorable the Senate:*

I have the honor to advise the Senate that, on the 15th of December, 1873, I made the following appointments:

William H. Whitehead, public administrator in and for McLean county, to fill a vacancy.

Peter H. Fleming, public administrator in and for Shelby county, to fill a vacancy.

In which appointments I respectfully ask your concurrence.

JOHN L. BEVERIDGE,  
Governor.

Mr. Lee offered the following amendment:

After the word "defense," in line 3, section 2, division 13, insert the following: "And it shall be the duty of the judge of the court to certify, in an order upon the county treasurer, a just and reasonable compensation for such counsel, which order shall be paid by said treasurer."

On motion of Mr. Cummings,

Debate was ordered closed on the pending amendment.

The question being, "Shall the amendment be adopted?" it was decided in the negative.

Mr. Hampton offered the following amendment:

Amend section 11, division 13, by striking out the section and inserting in lieu thereof as follows:

"§ 11. *Jurors judges of law and fact.*—Juries in all criminal cases shall be judges of the law and the fact."

On motion of Mr. Yager,

Debate was ordered closed on the pending amendment.

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Brooks, Burke, Canfield, Cummings, Cusey, Dow, Ferrell, Hampton, Hinchcliffe, Jacobs, Kehoe, Kelly, Lee, McGrath, Murphy, Nicholson, Patterson, Shepard, Strong, Thompson, Ware, Whiting, Wilcox, Williamson, Yager—26.

Those voting in the negative are,

Messrs. Baldwin, Glenn, Green, Gundlach, Hundley, Palmer, Sanford, Sheldon, Starne, Steele, Warren—11.

Mr. Shepard (by unanimous consent), from the committee on appropriations, to which was referred House bill, No. 309, for "An act for the relief of Frederick Wagouer," reported the same back, and recommended that the bill be passed.

The report of the committee was concurred in, and the bill ordered on file for a second reading.

Mr. Shepard, from the committee on appropriations, to which was referred Senate bill, No. 238, for "An act to provide for the payment of military companies while on duty at Chicago in the month of October, 1871," reported the same back with amendment, recommended its adoption, and that the bill as amended be passed.

The bill was ordered on file to be considered by sections.

Mr. Starne (by unanimous consent) called up House bill, No. 309, for "An act for the relief of Frederick Wagouer."

Which was read at large a second time and ordered on file to be considered by sections.

On motion of Mr. Starne,

The bill was ordered discharged from consideration by sections.

The question being, "Shall the bill be ordered to a third reading?" it was decided in the affirmative.

Mr. Dow (by unanimous consent) called up House bill, No. 634, for "An act to amend section 44 of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' approved March 29, 1872," which having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 36, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Canfield, Cummings, Cusey, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Starne, Steele, Strong, Thompson, Ware, Warren, Whiting, Wilcox, Williamson—35.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and having received a vote of two-thirds of the members elected, was declared passed.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Jacobs (by unanimous consent) called up Senate bill, No. 486, for "An act to repeal an act entitled 'an act to establish a court of common

pleas in the city of Amboy,' approved March 11, 1869," which, having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 38, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Canfield, Castle, Cummings, Cusey, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Hinchcliffe, Hurdley, Jacobs, Kehoe, Kelly, Lee, McGrath, Murphy, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Starnes, Steele, Strong, Thompson, Ware, Warren, Whiting, Wilcox, Williamson, Mr. President—38.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and having received a vote of two-thirds of the members elected, was declared passed.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Cusey (by unanimous consent) introduced Senate bill, No. 528, for "An act to reimburse to the county of McLean the sum of four thousand eight hundred and fifty dollars, in abatement of taxes for the year 1873."

Which was ordered to a first reading.

By unanimous consent, the bill was read at large a first time and ordered to a second reading, and,

On motion of Mr. Sheldon,

Referred to the committee on appropriations.

Leave of absence was granted Senators Glenn and Archer.

On motion of Mr. Baldwin,

The Senate, at 4:50 o'clock P. M., adjourned.

#### SATURDAY, JANUARY 24, 1874—10 O'clock A. M.

The Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Moore.

The journal of yesterday was being read, when,

On motion of Mr. Palmer,

The further reading of the same was dispensed with.

Mr. Strong (by unanimous consent), from the committee on printing, to whom was referred the following resolution, reported the same back, and recommended it to lie on the table:

*Resolved by the Senate, the House of Representatives concurring herein, That the committee on printing of the Senate and House be requested to confer together, and act in concert in the investigation of the subject of public printing, binding, etc., in this State, and that they report the result of their investigations at as early a day as practicable to their respective bodies.*

The report of the committee was concurred in, and the resolution was laid on the table.

The consideration of Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," was resumed.

On motion of Mr. Steele,

By unanimous consent, the vote whereby the following amendment was adopted was reconsidered:

Amend section 201, division 1, by adding the following: "Any engineer, or person having charge of and running any railroad engine or locomotive, who shall willfully or unnecessarily kill, wound, or disfigure

any horse, cow, mule, hog, or other useful animal, shall, upon conviction, be fined in a sum of not less than the value of the property so killed, wounded, or disfigured, and confined in the county jail for a period of not less than ten days; and any such engineer who shall wantonly or unnecessarily blow the engine-whistle so as to frighten any team, shall be liable to a fine of not less than ten dollars (\$10), nor more than fifty dollars (\$50)."

The question then being, "Shall the amendment be adopted?" it was decided in the negative.

Mr. Steele offered the following amendment, which was adopted:

Amend by adding after section 190, division 1, the following section:

"§ 190½. Any engineer, or person having charge of and running any railroad engine or locomotive, who shall willfully or unnecessarily kill, wound, or disfigure any horse, cow, mule, hog, or other useful animal, shall, upon conviction, be fined in a sum of not less than the value of the property so killed, wounded, or disfigured, and confined in the county jail for a period of not less than ten days; and any such engineer who shall wantonly or unnecessarily blow the engine-whistle so as to frighten any team, shall be liable to a fine of not less than ten dollars (\$10), nor more than fifty dollars (\$50)."

Mr. Sanford offered the following amendment, which was lost:

Amend section 64, division 1, by striking out lines 6 and 7.

Mr. McGrath offered the following amendment, which was adopted:

Amend section 57, division 1, by inserting after the word "lewdness," in line 2, the words "or rents any house, room, or other premises for any such purpose."

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has adopted the following resolution, to-wit:

WHEREAS, There is a prevailing opinion in the minds of many of the members of this General Assembly that the various charitable institutions of the State are unnecessarily expensive, as now managed; and whereas it is asserted that in many of said institutions supplies are purchased at retail prices at greater expense to the State than is absolutely necessary; and whereas it is the duty of this General Assembly to protect the interests of the people who pay taxes for the support of said institutions; therefore,

*Resolved by the House, the Senate concurring herein.* That there be a joint special committee appointed, to consist of three members on the part of the House, and two on the part of the Senate, whose duty it shall be to thoroughly investigate the affairs of said charitable institutions, to ascertain the manner and principle of their management, and inquire into the expediency of putting the control and management of all said institutions under the control of one board of commissioners.

*Resolved.* That if said committee cannot get the necessary information from the State Board of Public Charities and the several departments of the State, they are hereby instructed to visit the said institutions for the purpose of collecting such information; and that they report the result of their investigation at the earliest day possible. That if the interest of the State requires it, said committee report a bill revising the laws governing said institutions, and, as far as may be, to remedy the evils complained of.

In the adoption of which I am instructed to ask the concurrence of the Senate.

Mr. Steele called up the following amendment, offered by him on yesterday, to the pending bill:

Amend by inserting in place of section 130, division 1, (stricken out) the following section:

"§ 130. *Gambling in Grain, etc.*—Whoever contracts to have or give to himself or another the option to sell or buy at a future time any grain or other dead victual, stock of any railroad or other company, or gold, or forestalls the market by spreading false rumors to influence the price of commodities therein, or corners the market or attempts to do so in relation to any of such commodities, shall be fined not less than ten dollars nor more than one thousand dollars or confined in the county jail not exceeding one year, or both; and all contracts made, in violation of this section, shall be considered gambling contracts and shall be void."

Mr. Steele offered the following amendment to the amendment, which was adopted:

Amend the amendment by striking out the words "dead victual" and insert in lieu the word "commodity."

Mr. Dow moved to reconsider the vote whereby the amendment to the amendment was adopted.

The question being, "Shall the vote be reconsidered?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Dow, Hinchcliffe, Kehoe, Lee, McGrath, Nicholson, Strong, Thompson, Wilcox, Williamson—11.

Those voting in the negative are,

Messrs. Brooks, Castle, Cummings, Ferrell, Green, Gundlach, Hundley, Jacobs, Kelly, Palmer, Patterson, Sanford, Sheldon, Starne, Steele, Voris, Ware, Warren, Whiting—19.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and on the 24th day of January, 1874, laid before the Governor for his approval, to-wit:

House bill, No. 634, for "An act to amend section 44 of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' approved March 29, 1872."

Pending the consideration of the amendment,

Mr. McGrath moved to postpone the further consideration of the bill and amendment until Tuesday, January 27, 1874; which motion was decided in the negative.

The question being, "Shall the amendment as amended be adopted?" it was decided in the affirmative.

Mr. Williamson entered a motion to reconsider the vote whereby the amendment as amended was adopted.

On motion of Mr. Lee,

The Senate, at 12:15 o'clock P. M., adjourned.

MONDAY, JANUARY 26, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Reed.

The journal of Saturday was being read, when,

On motion of Mr. Cummings,

The further reading of the same was dispensed with.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed a bill of the following title, to-wit: .

House bill, No. 634, for "An act to amend section 44 of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' approved March 29, 1872."

Mr. Palmer presented a petition from the board of supervisors of Iroquois county, relating to railroads; which was referred to the committee on railroads.

Mr. Cummings (by unanimous consent) called up from the table House bill, No. 528, for "An act to repeal an act entitled 'an act to increase the jurisdiction of county courts,' approved April 5, 1872," and,

On motion of Mr. Cummings,

The bill was recommitted to the committee on judicial department and apportionment.

By unanimous consent, Senate bill, No. 416, for "An act to prevent any State or county officers from receiving, holding or presenting free passes on any railroad running through or into the State of Illinois," was taken up from the table, and,

On motion of Mr. Casey,

Placed on file for a second reading.

By unanimous consent, Senate and House bills on first reading were ordered taken up for consideration.

Senate bill, No. 517, for "An act to authorize the legislative authority of any incorporated city in the State to sell parks or any other public ground, or any lands belonging to any such city, or any part of the same, which may have become the property of the same by purchase or otherwise,"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Starne,

Referred to the committee on corporations.

Senate bill, No. 520, for "An act to enable towns embraced within the limits of any incorporated village of not more than ten thousand inhabitants which village is composed of two or more towns and covering an area of six square miles, to be separate and independent of and from such village incorporated,"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Cummings,

Recommitted to the committee on counties and township organization.

House bill, No. 408, for "An act to punish an officer for being intoxicated while in the discharge of the duties of his office,"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Cummings,

Referred to the joint committee on revision.

House bill, No. 648, for "An act to revise the law in relation to notices,"

Was taken up and read at large a first time, and ordered to a second reading.

House bill, No. 646, for "An act to revise the law in relation to mandamus,"

Was taken up and read at large a first time, and ordered to a second reading.

House bill, No. 396, for "An act to secure to children elementary instruction,"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Baldwin,

Ordered printed.

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of bills of the following titles, to-wit:

Senate bill, No. 256, for "An act to amend section 51 of an act entitled 'an act in regard to practice in courts of record.'"

Senate bill, No. 292, for "An act to revise the law in relation to sheriffs."

House bill, No. 605, for "An act to revise the law in relation to apprentices,"

Was taken up and read at large a first time, and ordered to a second reading.

By unanimous consent, House bills on second reading were ordered taken up for consideration.

House bill, No. 491, for "An act to amend section 2 of 'an act to amend chapter 22 of the Revised Statutes of 1845, entitled 'Charitable Uses,' in force March 3, 1869,"

Was taken up and read at large a second time, and ordered on file to be considered by sections.

Mr. Wilcox (by unanimous consent) presented a communication from F. H. Wines, Secretary State Board of Public Charities; which,

On motion of Mr. Nicholson,

Was referred to the committee on state charitable and educational institutions.

Mr. Nicholson (by unanimous consent) called up Senate bill, No. 449, for "An act to revise the law in relation to permitting animals to run at large," and,

On motion of Mr. Nicholson,

The bill was recommitted to the joint committee on revision.

House bill, No 17, for "An act to enable boards of underwriters incorporated by or under the laws of the State of Illinois, to establish and maintain a fire patrol,"

Was taken up and read at large a second time, and ordered on file to be considered by sections.

The consideration of Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," was resumed.

Mr. Steele offered the following amendment, which was adopted :

Add the following section: "§ 197½. Whoever willfully and wantonly obstructs the passage of any stream or water course used for the



purpose of rafting or floating mill logs or lumber, by casting, felling or depositing any tree, timber or other thing across or into any such stream or water course, whereby the rafting or floating of mill logs or lumber is prevented, hindered or impeded, shall be fined not exceeding five hundred dollars, or confined in the county jail not exceeding six months, or both."

Mr. Steele offered the following amendment, which was adopted :

Amend section 265, division 1, by striking out all after the words "six months," in line 11.

Mr. Steele offered the following amendment, which was adopted :

Amend division 15, section 1, line 11, by inserting after the word "error" the following: "And shall also be of the opinion that there is a reasonable doubt as to the guilt of the defendant."

Mr. Steele offered the following amendment, which was adopted :

Amend division 15, section 5, line 2, by inserting after the word "error" the following: "And shall also be of the opinion that there is a reasonable doubt as to the guilt of the defendant."

Mr. Canfield offered the following amendment, which was adopted :

Amend section 14, division 3, strike out the words "or a certified copy of the recognizance," and the words "by indorsement thereon" in lines 2 and 3."

Mr. Canfield offered the following amendment, which was lost:

Amend section 15, division 14, strike out the words "and personal" in line 1, the word "both," and "and personal" in line 3, and the words "and personal" in line 11, and insert after the word "acquired" in line 13 the words "and the then personal property of the defendant."

Mr. Jacobs offered the following amendment, which was adopted:

Amend section 197½, division 1, by adding the following: "But nothing herein contained shall prevent the maintaining or constructing of dams for manufacturing or other lawful purposes."

Mr. Ware offered the following amendment, which was lost:

Amend section 18, division 13 by striking out all between the word "bail" in line 2, and the word "if" in line 4, and insert the words following: "Shall, if the parties do not agree to a continuance of the cause, be tried at the first term of the court having jurisdiction of the offense, unless the delay shall be occasioned for good cause made to appear by affidavit."

Mr. Sanford offered the following amendment, which was adopted :

Amend section 29, division 6, strike out the words "and when such second marriage shall have taken place without this State," and insert "the offense may be allowed to have been committed and."

Mr. Williamson (by unanimous consent) withdrew his motion (entered on Saturday, January 24, 1874,) to reconsider the vote whereby the following amendment was adopted:

Amend by inserting in place of section 130, division 1, (stricken out,) the following section:

"§ 130. *Gambling in Grain, etc.*—Whoever contracts to have or give to himself or another the option to sell or buy at a future time any grain or other commodity, stock of any railroad or other company, or gold, or forestalls the market by spreading false rumors to influence the price of commodities therein, or corners the market or attempts to do so in relation to any such commodities, shall be fined not less than ten dollars nor more than one thousand dollars, or confined in the county jail not exceeding one year, or both; and all contracts made in viola-

tion of this section shall be considered gambling contracts and shall be void."

The question then being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

A message from the Governor, by Philo J. Beveridge, Private Sec'y :

Mr. President: I am directed by the Governor to lay before the Senate the following written communication :

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 26, 1874.

*To the Honorable the Senate:*

I have the honor to nominate and appoint Charles H. Dennett to be public administrator in and for DeWitt county, to fill a vacancy, and in this appointment respectfully ask your concurrence.

JOHN L. BEVERIDGE,  
Governor.

Mr. Baldwin (by unanimous consent) called up the following message from the House of Representatives:

WHEREAS, there is a prevailing opinion in the minds of many of the members of this General Assembly that the various charitable institutions of this State are unnecessarily expensive, as now managed; and whereas it is asserted that in many of said institutions supplies are purchased at retail prices at greater expense to the State than is absolutely necessary; and whereas it is the duty of this General Assembly to protect the interest of the people who pay the taxes for the support of said institutions; therefore,

*Resolved by the House, the Senate concurring herein,* That there be a joint special committee appointed, to consist of three members on the part of the House, and two on the part of the Senate, whose duty it shall be to thoroughly investigate the affairs of said charitable institutions, to ascertain the manner and principle of their management, and inquire into the expediency of putting the control and management of all of said institutions under the control of one board of commissioners.

*Resolved,* That if said committee cannot get the necessary information from the State Board of Public Charities and the several departments of State, they are hereby instructed to visit said institutions for the purpose of collecting such information; and that they report the result of their investigation at the earliest day possible. That if the interests of the State requires it, said committee report a bill revising the laws governing said institutions, and, as far as may be, to remedy the evils complained of.

Mr. Cummings moved to refer the resolutions to the committee on state charitable and educational institutions,

The question being, "Shall the resolutions be referred?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Cummings, Green, Jacobs, Patterson, Sheldon, Warren—6.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Canfield, Casey, Castle, Donahue, Ferrell, Gundlach, Hundley, Kelly, Nicholson, Palmer, Reynolds, Sanford, Starne, Steele, Strong, Voris, Ware, Wilcox, Williamson—21.

Mr. Casey offered the following amendment, which was adopted:

Strike out the words "as soon as practicable," and insert the words "during the present session of the General Assembly."

The question being, "Shall the Senate concur in the adoption of the resolution, as amended?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Canfield, Casey, Castle, Donahue, Ferrell, Green, Gundlach, Hundley, Jacobs, Kelly, Nicholson, Palmer, Patterson, Reynolds, Starne, Steele, Strong, Voris, Ware, Warren, Wilcox, Williamson, Mr. President—26.

Messrs. Sanford and Sheldon voted in the negative.

On motion of Mr. Ferrell,

The Senate, at 12:25 o'clock P. M., adjourned until 2:30 o'clock P. M.

## TWO-THIRTY O'CLOCK, P. M.

Senate met, pursuant to adjournment.

Mr. Baldwin (by unanimous consent) called up House bill, No. 584, for "An act to amend section 255 of an act entitled 'an act for the assessment of property and for the levy and collection of taxes,' approved March 10, 1872," and, on his motion, the bill was recommitted to the committee on revenue.

Mr. Voris (by unanimous consent) introduced Senate bill, No. 529, for "An act to amend 'an act concerning circuit courts, and to fix the times of holding the same in the several counties of the judicial circuits in the State of Illinois, exclusive of Cook,' approved May 2, 1873."

Which was ordered to a first reading, and,

On motion of Mr. Voris,

The rules were suspended, and the bill was read at large a first time and ordered to a second reading.

Mr. Casey (by unanimous consent) introduced Senate bill, No. 530, for "An act making an appropriation to defray the actual expenses of the commissioners appointed by the Governor to urge the improvement of the Ohio river by the general government."

Which was ordered to a first reading, and,

On motion of Mr. Casey,

The rules were suspended, and the bill read at large a first time, and ordered to a second reading, and referred to the committee on appropriations.

Senate bill, No. 447, for "An act to revise the law in relation to county courts," was taken up for consideration.

On motion of Mr. Sanford,

The further consideration of the bill was postponed to and made the special order for Tuesday, January 27, 1874, at 3 o'clock P. M.

Senate bill, No. 450, for "An act to revise the law in relation to dower,"

Was taken up, and read at large a second time, and,

On motion of Mr. Cummings,

The further consideration of the bill was postponed to and made the special order for Wednesday, January 28th, at 10:30 o'clock A. M.

Senate bill, No. 455, for "An act to revise the law in relation to husband and wife,"

Was taken up and read at large a second time, and,

On motion of Mr. Canfield,

The further consideration of the bill was postponed to and made the special order for Wednesday, January 28th, at 10 o'clock A. M.

Senate bill, No. 451, for "An act to revise the law in relation to frauds and perjuries," was taken up and read at large a second time.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Burns (by unanimous consent) called up House bill, No. 467, for "An act to authorize the Trustees of the Illinois State Hospital for the Insane, at Jacksonville, to sell and convey one and one half acres of land to the city of Jacksonville for public water works," which, having been printed, was read at large a third time.

And the question being, "Shall this bill pass?"

On motion of Mr. Yager,

The bill was recommitted to the committee on state charitable and educational institutions.

Senate bill, No. 452, for "An act to revise the law in relation to fugitives from justice,"

Was taken up and read at large a second time.

Mr. Burke offered the following amendment, which was lost :

Amend by adding after word "collection," in 5th line, section 16, the following: "Provided, the taxes so levied and collected shall remain in the county treasury as a fund set apart for this purpose."

The question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

A message from the Governor, by Philo J. Beveridge, Private Sec'y :

Mr. President: I am directed by the Governor to lay before the Senate the following written communication :

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 26, 1874.

*To the Honorable the Senate:*

I have the honor to transmit, herewith, the annual reports of the *ex-officio* inspectors of mines in and for the following counties, to-wit:

Brown, Bureau, Cass, Christian, DeWitt, Effingham, Grundy, Henderson, Henry, Hardin, Iroquois, Jo Daviess, Knox, Livingston, Macoupin, Madison, Marshall, Menard, Morgan, McDonough, Montgomery, McLean, Pope, Randolph, Rock Island, Scott, St. Clair, Tazewell, Vermillion, Williamson.

JOHN L. BEVERIDGE,  
*Governor.*

Senate bill, No. 453, for "An act to revise the law in relation to the General Assembly,"

Was taken up and read at large a second time, and

On motion of Mr. Cummings,

The further consideration of the bill was postponed to and made the special order for Tuesday, January 27th, 1874, at 10 o'clock A. M.

Senate bill, No. 454, for "An act to revise the law in relation to habeas corpus,"

Was taken up and read at large a second time.

Mr. Canfield offered the following amendment, which was adopted:

Amend section 11 by adding the following: "Provided, that if such court or judge shall be satisfied that the person so confined or restrained is a poor person, and unable to pay such expenses, then such court or judge shall so certify on such writ, and in such case no tender or payment of expenses need be made or security given as aforesaid, but the officer shall be bound to obey such writ."

And the question being, "Shall the bill be engrossed for a third reading?" it was decided in the affirmative.

Senate bill, No. 456, for "An act to revise the law in relation to injunctions,"

Was taken up and read at large a second time.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Yager (by unanimous consent) called up Senate bill, No. 507, for "An act to amend an act entitled 'an act to incorporate fire and ma-

rine and inland navigation companies doing business in the State of Illinois."

On motion of Mr. Yager,

The bill was recommitted to the committee on insurance.

Mr. Wilcox (by unanimous consent), from the committee on state charitable and educational institutions, to which was referred House bill, No. 467, for "An act to authorize the Trustees of the Illinois State Hospital for the Insane, at Jacksonville, to sell and convey one and one-half acres of land to the city of Jacksonville, for public water works," reported the same back with an amendment, and recommended its adoption, and that the bill, as amended, be passed.

The bill was ordered on file to be considered by sections, and the amendment was ordered printed.

Senate bill, No. 457, for "An act to revise the law in relation to jails and jailers,"

Was taken up and read at large a second time.

Mr. Steele offered the following amendment, which was adopted :

Amend section 11 by striking out in lines 2 and 3 the following words :  
"unless the crowded state or the construction of the jail prevents."

Mr. Glenn offered the following amendment, which was adopted :

Amend section 18 by inserting after the word "spirituous," in line 2, the words "vinous or malt."

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

A message from the House of Representatives, by Mr. Magie :

Mr. President : I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, to-wit :

House bill, No. 645, for "An act to revise the law in relation to limited partnerships."

House bill, No. 647, for "An act to revise the law in relation to names."

House bill, No. 649, for "An act to revise the law in relation to oaths and affirmations."

House bill, No. 651, for "An act to revise the law in relation to promissory notes, bonds, due bills and other instruments in writing."

House bill, No. 652, for "An act to revise the law in relation to the State library."

House bill, No. 571, for "An act to enable district school organizations or other school organizations created by special or private laws to discontinue such organization and return to the organization under the general school laws of the State."

In the passage of which I am instructed to ask the concurrence of the Senate.

On motion of Mr. Sheldon,

The Senate, at 4:50 o'clock P. M., adjourned.

TUESDAY, JANUARY 27, 1874—10 O'clock A. M.

The Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Reed.

The journal of yesterday was being read, when,

On motion of Mr. Cusey,

The further reading of the same was dispensed with.

Mr. Casey (by unanimous consent) introduced Senate bill, No. 531, for "An act to amend an act entitled 'an act concerning circuit courts, and to fix the times for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook,' approved May 2, 1873."

Which was ordered to a first reading, and,

On motion of Mr. Casey,

The rules were suspended, and the bill was read at large a first time, and ordered to a second reading.

Mr. Wilcox (by unanimous consent) introduced Senate bill, No. 532, for "An act to provide for the construction of suitable fishways in dams constructed by the Board of Canal Commissioners across streams in this State."

Which was ordered to a first reading, and,

On motion of Mr. Wilcox,

The rules were suspended, and the bill was read at large a first time, and ordered to a second reading.

Mr. Nicholson (by unanimous consent), from the committee on revenue, to which was referred House bill, No. 584, for "An act to amend section 255 of an act entitled 'an act for the assessment of property and for the levy and collection of taxes,'" reported the same back with an amendment, and recommended its adoption, and that the bill as amended be passed.

The bill was ordered on file to be considered by sections, and the amendment to be printed.

Mr. Steele, (by unanimous consent) from the joint committee on revision, to which was referred Senate bill, No. 516, for "An act to provide for the election and to prescribe the duties of the Supervisor of State Institutions, and to reorganize the boards of trustees of State institutions," reported the same back, and recommended that the bill be referred to the joint special committee on state charitable and educational institutions.

The report of the committee was concurred in, and the bill ordered to be referred to said committee.

Mr. Yager, (by unanimous consent) from the committee on reformatory institutions, to which was referred Senate bill No. 522, for "An act to authorize the Trustees of the State Reformatory School to lease the labor of the inmates," reported the same back, and recommended that the bill be passed.

The report of the committee was concurred in, and the bill ordered on file for a first reading, and,

On motion of Mr. Yager,

The rules were suspended, and the bill was read at large a first time, and ordered to a second reading.

Mr. Palmer presented resolutions of the board of supervisors of Iroquois county, relating to the extended jurisdiction of county courts.

Mr. Starne (by unanimous consent) offered the following rule, which, on his motion, was referred to the committee on judiciary:

"Rule 66. Hereafter no Senator shall be appointed on the committee on appropriations who represents a district that is asking an appropriation for the building, completion or furnishing of any institution located in their respective districts."

The President, at 10:15 o'clock A. M., announced the time for the special order, being the consideration of Senate bill, No. 453, for "An act to revise the law in relation to the General Assembly."

The question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 459, for "An act to revise the law in relation to mines."

Was taken up and read at large a second time.

On motion of Mr. Cummings,

The further consideration of the bill was postponed to and made the special order for Thursday, January 29, 1874, at 10:30 o'clock A. M.

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, to-wit:

House bill, No. 433, for "An act to amend section forty-seven of an act entitled 'an act in regard to evidence and depositions in civil cases,' approved March 29, A. D. 1872."

House bill, No. 306, for "An act to authorize courts of record, in certain cases, to order lands to be subdivided and platted."

House bill, No. 188, for "An act to protect persons pledging personal property as collateral security for loans of money in the State of Illinois."

In the passage of which I am instructed to ask the concurrence of the Senate.

Senate bill, No. 460, for "An act to revise the law in relation to *ne creat*,"

Was taken up and read at large a second time.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 462, for "An act to revise the law in relation to oil inspection,"

Was taken up and read at large a second time.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 461, for "An act to revise the law in relation to official bonds,"

Was taken up and read at large a second time.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 465, for "An act to revise the law in relation to State militia,"

Was taken up and read at large a second time.

Mr. Reynolds offered the following amendment, which was adopted: Amend section 9, by adding to said section the following: "when acting under orders of the Governor."

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 466, for "An act to revise the law in relation to pardons,"

Was taken up and read at large a second time.

On motion of Mr. Steele,

The further consideration of the bill was postponed to and made the special order for Wednesday, January 28, 1874, at 2:30 o'clock P. M.

Senate bill, No. 467, for "An act to revise the law in relation to paupers,"

Was taken up and read at large a second time.

Mr. Starne offered the following amendment, which was adopted :

Add to the end of line 7, section 24, the word "person."

Mr. Baldwin offered the following amendment:

Amend section 24, by striking out all of section 24, after the word "buried," in 6th line.

On motion of Mr. Nicholson,

Debate was ordered closed on the pending amendment.

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Canfield, Casey, Castle, Cummings, Donahue, Glenn, Green, Gundlach, Jacobs, Nicholson, Palmer, Sheldon, Starne, Strong, Voris, Waite, Warren, Whiting, Wilcox, Yager, Mr. President—28.

Those voting in the negative are,

Messrs. Kehoe, Reynolds, Youngblood—3.

Leave of absence was granted Mr. Williamson.

Mr. Palmer offered the following amendment, which was adopted:

Strike out section 25.

Mr. Waite offered the following amendment, which was adopted:

Strike out section 26.

Mr. Green offered the following amendment, which was adopted:

Amend section 37, by striking out the word "ten," in line 1, and inserting the word "twenty-five."

Mr. Yager offered the following amendment, which was adopted:

Amend by striking out word "and," in section 19, line 2, and insert the word "or." Also, in line 3, strike out the final letter "s" from the word "overseers."

Mr. Whiting moved to recommit the bill to the joint committee on revision; which motion was decided in the negative.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Ware, from the joint committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and on the 27th day of January, 1874, laid before the Governor for his approval, viz:

Senate bill, No. 256, for "An act to amend section 51 of an act entitled 'an act in regard to practice in courts of record.'"

Senate bill, No. 492, for "An act to revise the law in relation to sheriffs."

A message from the Governor, by Philo J. Beveridge, Private Sec'y:

Mr. President: I am directed by the Governor to lay before the Senate the following written communication:

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 27, 1874.

*To the Honorable the Senate:*

Whereas, the question of cheap transportation is being discussed by the American people, and the Congress of the United States has the same under consideration, I would respectfully suggest the propriety of the Legislature memorializing Congress to consider favorably the extension of the Illinois and Michigan Canal to the Mississippi river, at or near Rock Island, and to take early action to open up this route to the products and commerce of the Northwest.



If this work is undertaken and completed by Congress, it is not probable that this route, from Lake Michigan to the Mississippi river, would be under the control of the State of Illinois; nor is it hardly probable that one part would remain under State supervision and another under National; nor that commerce in its transit would submit to heavy, or any tolls, imposed by State or National authority, beyond what would be necessary for repairs. The route must necessarily be a national one, open like our navigable rivers to the commerce of the whole country.

Therefore, in view of the fact that by the terms of our Constitution, the Illinois and Michigan Canal shall never be sold or leased until the specific proposition for the sale or lease thereof shall first have been submitted to a vote of the people of the State at a general election, and have been approved by a majority of all the votes polled at such election, I suggest whether the Legislature, at this session, should not take some action looking to an adjustment of these great interests and a union of the two enterprises: the Illinois and Michigan Canal and the extension of the same to the Mississippi river by the General Government.

In this same connection, I submit herewith a communication addressed to myself and the Legislature, from Thomas L. Rosser, relative to the use of the Steam Railway for propelling boats on canals, and call your attention to the proposition therein contained.

Very respectfully,

JOHN L. BEVERIDGE,  
Governor.

SPRINGFIELD, ILL., January 6, 1874.

*To His Excellency JOHN L. BEVERIDGE, Governor, and the Legislature of the State of Illinois:*

The slow and tedious mode of transportation by the canal system of navigation, so discouraged the business energy of the American people that the public mind has long since been turned from it, and has become absorbed in the subject of railroads.

To our credit as a people, I will state, that under the broad, liberal and comprehensive systems adopted by our several States and by the United States, for the government and advancement of our railroads, our country has experienced a wonderful development and growth, one which, without this railroad development, would never have been realized. Distance has virtually been eliminated; time, in its flight, has been outriden, and regions once remote and inaccessible, have been reached by the railroad, reclaimed from the savage tribes of the West, and drawn up in close proximity to the great commercial centers of the land.

But in this devotion to railroad development, so necessary to our national prosperity and advancement, the subject of canal navigation has been almost entirely neglected, and allowed to languish without improvement; and now, when in some localities our railroads, by consolidations and combinations, have become oppressive monopolies, against which a large portion of our people are demanding relief, and cheaper lines of transportation from the great harvest fields of the west to the eastern seaboard, we are forced to go back to the long-neglected subject of canals, that we may ascertain what improvements they are susceptible of which will render them more available in meeting the rapidly-increasing requirements of our growing country.

The first difficulty met in this investigation is, that we have not enough through lines to successfully compete with the great trunk railroad lines. The next is, that those we have are not large enough, and their connections not sufficiently secured with the natural water lines which should form a part of them, to make them accessible to the great business which should seek an outlet through them to the seaboard; and the third objection is, that as a mode of transportation the canal system is slow.

I will not attempt to discuss the first of these difficulties above enumerated, for I would not presume to locate the canals we require, and would certainly not attempt to provide the means for constructing them. There are committees of Congress charged with that grave mission, and they are now collecting statistics and accumulating evidence which will guide them in their action, and, as I have full confidence in their wisdom, patriotism and zeal, I am satisfied that they will go as far in recommending to Congress the opening of new lines as the financial condition of the country will allow.

The second difficulty, that our canals are not large enough, is, in my opinion, less of a difficulty than the majority of persons suppose. The capacity of a canal, or, in other words, the amount of work a canal can do, depends on the size of its ditch, the size and relative position of its locks, the speed of its boats, and the system or management under which it is operated. To increase all of these functions, the capacity of the canal, for business, would be also increased, and in direct proportion to such increase of its working functions, and if you increase any one, or several of these working functions of the canal, you increase the business capacity of the canal in a proportion relative to such increase of its particular functions. To enlarge the ditch and remodel the locks involves a large expenditure of money and time, as well as the question of water supply. The money, if the project is deemed expedient, can generally be obtained, but the water cannot be created, and unless provided by nature, the solution of the problem of increasing the working capacity of a canal by increasing its size becomes an impossibility. At this time, when money is scarce and our wants immediate, I doubt the wisdom of increasing the size of our canals in order to obtain a greater working capacity, and most respectfully recommend in its stead, and as a means of arriving at the same results, a more rapid and economical mode of propulsion than the horse, the mule or the ox, and a better systematized management of the

water. In the first place, steam must take the place of the beast. Indeed, it astonishes me to see that steam, which has been applied to everything else, especially in the west, where our large farmers thresh, saw, plow and perform almost everything now by steam which the horse was required to do in former times, and yet steam has not been applied successfully as a mode of propulsion on our canals.

I look for but little progress in canal development until we discover a method of applying steam to the propulsion of canal boats. Experience forbids the use of steam tugs on canals on account of the expensive changes necessary to be made in the canals to adapt them to the use of the tug, and the use of steam in the canal entails a more heavy tax, by the washing of the slopes, on the maintenance of the work. There is another grave objection against the use of the steam tug. They occupy a large space in the canal, and consume much of the working time in being put through the locks, and besides all this, they are slow, for the greatest speed ever attained by them on the New York and Erie was about four and a half miles per hour. Therefore, nothing is to be gained but much to be lost by their use on canals, and while it must be conceded by all that steam must be used, it is equally apparent that it must be applied from the shore, and I most respectfully recommend the following mode of application: Let a narrow gauge railroad be constructed on the heel-path, (I would say tow-path, but that would interfere with the present mode of propulsion, which we are not willing to do until our plan is demonstrated to be the best of all others.) Equip this road with suitable locomotives for towing trains of boats. Then the boats could be made up into trains of about ten each, and a ten-ton engine would take them along at the rate of about five miles per hour easily, and faster if necessary. If fast speed is desired, there should be in the rear of the towing locomotive and abreast with the advanced boat in the train, a guide car, as shown in the accompanying drawings, and this will allow the locomotive to run well in advance of the train so as to relieve the side strain on the track. This side strain could also be relieved by elevating the inner rail. This guide car should be used as an express or postal car, and the railroad would be used in winter when the canal was idle, as any other railroad, except that it should be under the control of the canal authorities. To adapt the canal to this mode of propulsion without disturbing the present system, or without in the least interfering with the operating of the canal, there should be constructed what I have designated as a "compromise lock," a sketch of which is herewith enclosed. This compromise lock is but a skeleton and is comparatively inexpensive, and consists of nothing more than a gate with head walls sufficiently strong to support it. This gate is constructed the full width of the bottom of the canal so that the boats can come in and go out, two abreast, and the space between this compromise lock and the ordinary lock should be sufficient to allow a train of ten boats to float two abreast, and should be a little over five boats in length. The slopes within this compromise lock should be protected by a row of piles, or a boom, to prevent the boats grounding upon the slopes when being lowered through the lock. In raising the embankment for the construction of this lock, a basin of suitable dimensions should be formed on the side, as shown in the sketch above referred to, by means of which this large lock could be filled in as short a space of time as the ordinary lock.

In addition to the railroad, there should be a telegraph line constructed, with a station at each of the locks, and the trains so run as to meet and pass at the locks, so that the lock full of water would pass two trains of boats, one up and one down, and suitable side tracks should also be constructed at the locks for the passing of the engines. When it is necessary for trains to pass between locks, it is done as shown in one of the accompanying drawings.

To introduce this mode of propulsion on the Illinois and Michigan Canal, for instance, the following estimate of cost may be relied on, per mile:

Grading of heel-path .....	\$3,000 00
Iron, (40 lbs. per yard) .....	4,410 00
Spikes, bolts and splices .....	800 00
Cross ties .....	1,000 00
Track-laying and battailing .....	1,000 00

Total cost per mile.....\$10,210 00

Now, let us see what the working capacity of a canal equipped in this manner would be, or, for convenience, let us see what it would do for the Illinois and Michigan canal. The amount of work which any canal can do depends upon the number of its lockages any one of its locks can make in twenty-four hours and the tonnage put through the lock each time. By the arrangement of the "compromise lock," it has been seen that ten boats going each way pass through the lock at each lockage, and allowing thirty minutes per lockage, two can be made per hour, and in twenty-four hours, there would be forty-eight lockages; and supposing the boats carried 180 tons each, and each train contained ten boats, each lock would be able to discharge, supposing the trains loaded each way, 172,800 tons per day, or if the trains were loaded only one way and return empty, the tonnage passed in twenty-four hours would be 86,400 tons, and in 225 navigable days there would be a tonnage discharged through this canal from west to east of 19,440,000 tons—about equal to the entire tonnage of the great lakes. And if the same amount passed west, there would be, as the total work of the canal, 38,880,000 tons per annum. This amount of business capacity given to the Illinois and Michigan canal is so much larger than is at present required, and cost so much less than any other improvement which would give anything like such results, that, without hesitation, I most earnestly recommend the "railway propulsion plan," with its "compromise lock," to the favorable consideration of the State of Illinois, as the most expedient and the most satisfactory of all improvements suggested for our canals at this time.

From my own knowledge of the Illinois and Michigan canal, this "compromise lock" can be introduced into its sixteen locks from LaSalle to Bridgeport, at a cost of about \$500,000, and judging from the great interest manifest all over the west on the subject of cheap transportation, and from impressions received in conversations with members of Congress within the last few days, I am satisfied that the general government will aid the State of Illinois by a reasonable grant of money necessary to inaugurate a system of canal improvement, whose object is to cheapen transportation from the great West to the seaboard. Therefore, I most respectfully suggest that the Legislature of the State of Illinois memorialize the Congress of the United States, asking for a grant of \$100,000, to be used in experimenting on the subject of cheap transportation in connection with the Illinois and Michigan canal, and when such grant is obtained, as I am sure it will be, apply the system above recommended, on at least a portion of the said canal. After a fair trial, I am satisfied that this railway propulsion system will be universally adopted on all our canals as the cheapest of all modes of canal boat propulsion.

Let us suppose that upon the adoption of this plan upon the Illinois and Michigan canal, there would be sufficient business attracted at once to work the canal to its full capacity, and let us examine the result. We would require about 100 locomotives and about 1000 boats, and with this equipment as a basis, we will make a rough calculation of the cost of transportation:

2000 men for manning the boats, at \$2 per day (allowing two men to each boat, so that one will be on duty day and night.....	\$4,000
100 engines, at \$4 per day.....	400
100 conductors, at \$5 per day.....	500
200 men (firemen and wipers), at \$2 per day.....	400
Cost of labor per day.....	\$5,300
(225 days).....	\$1,192,500
For repairing 100 miles of canal and railroad, \$1000 per mile.....	100,000
Shops and administration.....	10,000
Interest on cost of canal about \$15,000,000 at 6 per cent.....	900,000
Cost of boats, \$1,500,000—interest on same at 10 per cent.....	150,000
Life of boats 6 years; renewal of boats.....	250,000
Cost of engines, \$500,000—interest on same at 10 per cent.....	60,000
Life 10 years, renewal of.....	60,000
100 miles of railroad track, cost \$1,021,000, at 10 per cent.....	102,100
Renewal once in 10 years.....	102,100
Compromise locks, cost \$500,000, at 10 per cent.....	50,000
Renewal in 10 years.....	50,000
Add 10 per cent. for contingencies and general administration.....	302,670

Total interest on cost at 10 per cent, and operating, etc.....\$3,329,370

Now take the total tonnage at twenty millions, and the interest on the investment as above, at 10 per cent., and it appears that freights could be carried for less than two mills per ton per mile. In other words, the railway propulsion plan has converted the canal into a navigable river.

Respectfully yours,

THOS. L. ROSSER, *Civil Engineer.*

A message from the Governor, by Philo J. Beveridge, Private Secretary :

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed a bill of the following title, to-wit :

Senate bill, No. 165, for "An act making an appropriation to pay Robert Tillson & Co. ten thousand dollars, in full for their demand against the State."

Mr. Yager (by unanimous consent) introduced Senate bill, No. 533, for "An act to amend 'an act to organize and regulate the business of life insurance,' approved March 26, 1869."

Which was ordered to a first reading.

On motion of Mr. Voris,

The Senate, at 12:30 o'clock P. M., adjourned until 2:30 o'clock P. M.

## TWO-THIRTY O'CLOCK P. M.

Senate met, pursuant to adjournment.

On motion of Mr. Cummings,

The rules were suspended and Senate bills on third reading were ordered taken up.

Senate bill, No. 358, for "An act to prevent extortionate charges by any company, corporation, person or persons owning or operating any stock yards in this State," having been printed, was read at large a third time, and,

On motion of Mr. Nicholson,

The further consideration of the same was indefinitely postponed.

Senate bill, No. 360, for "An act in regard to forcible entry and detainer," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 34, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Canfield, Casey, Castle, Cummings, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Hundley, Jacobs, Kehoe, Kelly, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Starna, Steele, Strong, Voris, Waite, Ware, Warren, Whiting, Wilcox, Yager, Youngblood, Mr. President—34.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A message from the Governor, by Philo J. Beveridge, Private Sec'y:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, to-wit:

Senate bill, No. 256, for "An act to amend section 51 of an act entitled 'an act in regard to practice in courts of record.'"

Senate bill, No. 639, for "An act to revise the law in relation to sheriffs."

Senate bill, No. 425, for "An act to authorize the establishment of a ferry across the Illinois river."

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, to-wit:

House bill, No. 716, for "An act providing for trial of rights of property in certain cases before the county court."

House bill, No. 500, for "An act to amend section 14 of an act entitled 'an act to provide for the management of the Illinois State penitentiary at Joliet.'"

House bill, No. 655, for "An act to amend an act entitled 'an act concerning bail in civil cases,' approved January 22, 1872."

House bill, No. 594, for "An act to amend an act entitled 'an act to provide for the incorporation of cities and villages.'"

In the passage of which I am instructed to ask the concurrence of the Senate.

Senate bill, No. 403, for "An act to revise the law in relation to liens," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 30, nays 1.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Canfield, Casey, Castle, Cummings, Donahue, Ferrell, Glenn, Green, Gundlach, Hundley, Jacobs, Kehoe, Kelly, Palmer, Sanford, Sheldon, Shepard, Sterne, Steele, Voris, Waite, Ware, Warren, Whiting, Wilcox, Yager, Youngblood, Mr. President—30.

Mr. Burke voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The President, at 3 o'clock P. M., announced the time for the special order, being the consideration of Senate bill, No. 447, for "An act to revise the law in relation to county courts."

On motion of Mr. Sanford,

The further consideration of the special order was postponed until Thursday, January 29, 1874, at 2:30 o'clock P. M.

Senate bill, No. 441, for "An act to revise the law in relation to county clerks," was taken up for a third reading.

On motion of Mr. Steele,

The bill was referred to the committee on revision.

Mr. Glenn (by unanimous consent) called up Senate bill, No. 500, for "An act to provide for the payment of the railroad debts of counties, townships, incorporated cities and towns."

On motion of Mr. Glenn,

The bill was recommitted to the committee on judiciary.

Senate bill, No. 442, for "An act to revise the law in relation to clerks of courts," having been printed, was read at large a third time.

On motion of Mr. Hundley,

The bill was referred to the committee on revision.

Mr. Shepard (by unanimous consent) called up House bill, No. 309, for "An act for the relief of Frederick Wagoner," which, having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 35, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Canfield, Casey, Castle, Cummings, Donahue, Ferrell, Glenn, Greene, Gundlach, Hundley, Jacobs, Kehoe, Kelly, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Sterne, Steele, Strong, Voris, Waite, Ware, Warren, Whiting, Wilcox, Yager, Youngblood, Mr. President—35.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and having received a vote of two-thirds of the members elected, was declared passed.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Whiting,

The executive message received to-day, relating to the Illinois and Michigan canal, was ordered printed together with the accompanying documents.

Senate bill, No. 443, for "An act to revise the law in relation to the supreme court," was taken up.

Mr. Casey moved to recommit the bill to the committee on revision; which motion was decided in the negative.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, to-wit:

House bill, No. 737, for "An act to provide for fees of certain officers therein named, in counties of the third class."

House bill, No. 310, for "An act to provide for the sale of unclaimed property by common carriers, warehousemen and innkeepers."

House bill, No. 537, for "An act to repeal an act entitled 'an act to attach a portion of town 19 north, range 12 west, to town 18 north, range 12 west, in Vermilion county, State of Illinois,' approved February 21, 1859."

In the passage of which I am instructed to ask the concurrence of the Senate.

Senate bill, No. 443, for "An act to revise the law in relation to the supreme court," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 30, nays 4.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Castle, Cummings, Ferrell, Glenn, Green, Gundlach, Hundley, Jacobs, Kehoe, Kelly, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Sterne, Steele, Strong, Voris, Ware, Warren, Whiting, Wilcox, Youngblood, Mr. President—30.

Those voting in the negative are,

Messrs. Casey, Donahue, Waite, Yager—4.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Wilcox (by unanimous consent) called up House bill, No. 463, for "An act to promote the science of medicine and surgery in the State of Illinois."

The question being, "Will the Senate adopt the amendment reported from the special committee?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Cusey, Castle, Donahue, Green, Kehoe, Nicholson, Palmer, Reynolds, Shepard, Strong, Whiting, Wilcox—12.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Brown, Burke, Cummings, Ferrell, Glenn, Gundlach, Kelly, Sanford, Sheldon, Starne, Steele, Voria, Ware, Warren, Yager, Youngblood—18.

All the sections of the bill were adopted.

And the question being, "Shall the bill be ordered to a third reading?" it was decided in the affirmative.

Mr. Steele, (by unanimous consent,) from the committee on revision, to which was referred House bill, No. 408, for "An act to punish an officer for being intoxicated while in the discharge of the duties of his office," reported the same back and recommended that it be laid on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Steele (by unanimous consent) called up Senate bill, No. 472, for "An act to revise the law in relation to State contracts," which, on his motion, was referred to the committee on printing.

Mr. Baldwin (by unanimous consent) called up Senate bill, No. 368, for "An act to amend 'an act to establish and maintain a system of free schools,' approved April 1, 1872," which, on his motion, was recommitted to the committee on education.

Mr. Steele (by unanimous consent) called up the motion entered by Mr. Hampton, April 15, 1873, to reconsider the vote whereby Senate bill, No. 315, for "An act to revise the law in relation to mortgages of real estate and personal property," was recommitted to the committee on revision.

On motion of Mr. Steele,

The motion entered to reconsider the vote whereby the bill was referred was laid on the table.

On motion of Mr. Canfield,

The Senate, at 4:45 o'clock P. M., adjourned.

WEDNESDAY, JANUARY 28, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by the Rev. Mr. Reed.

The journal of yesterday was being read, when,

On motion of Mr. Cusey,

The further reading of the same was dispensed with.

The President announced the time for the special order, being the consideration of Senate bill, No. 455, for "An act to revise the law in relation to husband and wife."

On motion of Mr. Steele,

The further consideration of the special order was postponed until Tuesday, February 5, at 10 o'clock A. M.

On motion of Mr. Casey,

The rules were suspended, and Senate bill, No. 531, for "An act to amend an act entitled 'an act concerning circuit courts, and to fix the times for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook,' approved May 2, 1873," was taken up and read at large a second time, and,

On motion of Mr. Casey,

Referred to the committee on judicial department and apportionment and ordered printed.

On motion of Mr. Waite,

The rules were suspended, and House bill, No. 737, for "An act to provide for fees of certain officers therein named in counties in the third class," was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Waite,

Referred to the committee on fees and salaries.

On motion of Mr. Voris,

The rules were suspended, and Senate bill, No. 529, for "An act to amend 'an act concerning circuit courts and to fix the times of holding the same in the several counties of the judicial circuits in the State of Illinois, exclusive of Cook,' approved May 2, 1873," was taken up and read at large a second time, and ordered on file to be considered by sections, and,

On motion of Mr. Voris,

The bill was discharged from the order of consideration by sections.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 468, for "An act to revise the law in relation to quo warranto," was taken up and read at large a second time.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 469, for "An act to revise the law in relation to reporter of the supreme court," was taken up and read at large a second time.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, viz :

House bill, No. 522, for "An act to repeal an act entitled 'an act to establish a board of fire engineers and to re-organize the fire department in the city of Quincy,' approved February 16, 1865, and an act entitled 'an act to amend an act entitled 'an act to establish a board of fire engineers and to re-organize the fire department in the city of Quincy, Illinois,' approved February 18, 1867.'"

In the passage of which I am instructed to ask the concurrence of the Senate.

The President, at 10:30 o'clock A. M., announced the time for the special order, being the consideration of Senate bill, No. 450, for "An act to revise the law in relation to dower."

On motion of Mr. Cummings,

The further consideration of the special order was postponed until Thursday, February 5, 1874, at 2:30 o'clock P. M.

Mr. Strong (by unanimous consent) offered the following resolution :

*Resolved*, That the committee on enrolled and engrossed bills be authorized to employ such additional clerical force as may be necessary to discharge the work of said committee.

On motion of Mr. Strong,

The rules were suspended, and the resolution was taken up for consideration.

The question being, "Shall the resolution be adopted?" it was decided in the affirmative.

Mr. Donahue, (by unanimous consent) from the committee on railroads, to which was referred House bill, No. 231, for "An act to limit and determine the time for which counties, cities, townships, towns and precincts in this State shall be liable and holden to issue aid for the building of any railroad in pursuance of any vote taken in conformity to the laws of this State," reported the same back with an amendment, and recommended its adoption, and that the bill as amended be passed.

The bill was ordered on file to be considered by sections.

Mr. Palmer, (by unanimous consent) from the committee on judicial department and apportionment, to which was referred House bill, No. 528, for "An act to repeal an act entitled 'an act to increase the jurisdiction of county courts,' approved April 5, 1872," reported the same back without recommendation.

On motion of Mr. Cummings,

The bill was ordered on file for a second reading.

On motion of Mr. Sanford,

The rules were suspended, and Senate bills on third reading were taken up for consideration.

Senate bill, No. 444, for "An act to revise the law in relation to circuit courts and the superior court of Cook county," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 35, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Canfield, Casey, Castle, Cummings, Cusey, Donahue, Ferrell, Glenn, Green, Hampton, Hundley, Jacobs, Kehoe, Kelly, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Sterne, Steele, Strong, Voris, Walte, Ware, Whiting, Wilcox, Yager, Mr. President—35.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 445, for "An act to revise the law in relation to the criminal court of Cook county," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 35, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Canfield, Casey, Castle, Cummings, Cusey, Donahue, Ferrell, Glenn, Green, Hampton, Hundley, Jacobs, Kehoe, Kelly, Lea, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Sterne, Steele, Strong, Voris, Walte, Ware, Whiting, Wilcox, Yager, Mr. President—35.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 446, for "An act to fix the terms of court of Cook county," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 32, nays 0.

Those voting in the affirmative are,

Messrs. Brooks, Burke, Canfield, Casey, Castle, Cummings, Cusey, Donahue, Ferrell, Glenn, Green, Hampton, Jacobs, Kehoe, Kelly, Lea, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Sterne, Strong, Voris, Walte, Ware, Whiting, Wilcox, Yager, Mr. President—32.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 258, for "An act in regard to the action of account," having been printed, was read at large a third time.

On motion of Mr. Canfield,

The bill was recommitted to the committee on enrolled and engrossed bills for correction.



Senate bill, No. 510, for "An act to amend section 91 of an act entitled 'an act in regard to the administration of estates,' approved April 1, 1872," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 28, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Canfield, Casey, Castle, Cummings, Cusey, Glenn, Green, Hampton, Hundley, Jacobs, Kelly, Lee, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starnes, Steele, Waite, Ware, Warren, Whiting, Yager, Mr. President—28.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 393, for "An act to fix the compensation of members, officers and employees of the General Assembly," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 27, nays 6.

Those voting in the affirmative are,

Messrs. Baldwin, Canfield, Casey, Castle, Cummings, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Hundley, Jacobs, Kehoe, Lee, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Waite, Warren, Whiting, Wilcox, Mr. President—27.

Those voting in the negative are,

Messrs. Hampton, Kelly, Starnes, Steele, Strong, Yager—6.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, to-wit:

House bill, No. 598, for "An act in relation to the collection of wages."

In the passage of which I am instructed to ask the concurrence of the Senate.

Senate bill, No. 410, for "An act to amend an act entitled 'an act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872, in force July 1, 1872," having been printed, was read at large a third time.

Mr. Cummings moved to recommit the bill to the committee on revenue; which motion was decided in the negative.

On motion of Mr. Castle.

The previous question was ordered.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 11, nays 21.

Those voting in the affirmative are,

Messrs. Cummings, Ferrell, Glenn, Green, Gundlach, Hampton, Nicholson, Sheldon, Strong, Whiting, Mr. President—11.

Those voting in the negative are,

Messrs. Baldwin, Burke, Casey, Castle, Cusey, Donahue, Hundley, Jacobs, Kehoe, Kelly, Lee, Palmer, Patterson, Reynolds, Sanford, Shepard, Starnes, Waite, Warren, Wilcox, Yager—21.

Mr. Waite moved to reconsider the vote whereby the bill was lost.

Mr. Kehoe moved to lay the motion to reconsider on the table.

And the question being, "Shall the motion to reconsider be laid on the table?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Burke, Casey, Castle, Cusey, Donahue, Kehoe, Lee, Starnes, Warren, Wilcox—10.

Those voting in the negative are,

Messrs. Baldwin, Cummings, Ferrell, Glenn Green, Gundlach, Hampton, Hundley, Jacobs, Kelly, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Shepard, Steele, Strong, Waite, Ware, Whiting, Yager, Mr. President—24.

The question then being, "Shall the vote whereby the bill was lost be reconsidered?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cummings, Ferrell, Glenn, Green, Gundlach, Hampton, Jacobs, Kelly, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Strong, Waite, Ware, Whiting, Yager, Mr. President—25.

Those voting in the negative are,

Messrs. Burke, Casey, Cusey, Donahue, Hundley, Kehoe, Lee, Sterne, Warren, Wilcox—10.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed:

Senate bill, No. 451, for "An act to revise the law in relation to frauds and perjuries."

Senate bill, No. 452, for "An act to revise the law in relation to fugitives from justice."

On motion of Mr. Kehoe,

The Senate, at 12:20 o'clock P. M., adjourned to 2:30 o'clock P. M.

#### TWO-THIRTY O'CLOCK P. M.

Senate met, pursuant to adjournment.

Mr. Canfield (by unanimous consent) offered the following resolution, which was laid over under the rules:

*Resolved by the Senate, the House concurring herein, That when the respective houses adjourn on Thursday, January 29, they stand adjourned until Tuesday, February 3, at 6 o'clock P. M.*

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly engrossed:

Senate bill, No. 258, for "An act in regard to the action of account."

Mr. Patterson (by unanimous consent) introduced Senate bill, No. 534, for "An act to amend an act entitled 'an act concerning circuit courts, and to fix the times for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook.'"

Which was ordered to a first reading, and,

On motion of Mr. Patterson,

The rules were suspended and the bill was read at large a first time and ordered to a second reading, and referred to the committee on judicial department and apportionment.

Mr. Henry (by unanimous consent) introduced Senate bill, No. 535, for "An act to amend an act entitled 'an act in regard to guardians and wards,' approved April 10, 1872."

Which was ordered to a first reading, and,

On motion of Mr. Henry,

The rules were suspended, the bill was read at large a first time, ordered to a second reading, and referred to the committee on judiciary.

The President, at 2:40 o'clock P. M., announced the time for the consideration of the special order, being Senate bill, No. 466, for "An act to revise the law in relation to pardons."

The question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 258, for "An act in regard to the action of account," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 30, nays 4.

Those voting in the affirmative are,

Messrs. Baldwin, Burke, Canfield, Castle, Cummings, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hundley, Kehoe, Kelly, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Shepard, Sterne, Steele, Strong, Voris, Waite, Whiting, Wilcox, Yager, Mr. President—30.

Those voting in the negative are,

Messrs. Casey, Cusey, Jacobs, Ware—4.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Yager (by unanimous consent), from the committee on insurance, to which was referred Senate bill, No. 507, for "An act to amend an act entitled 'an act to incorporate and govern fire, marine and inland navigation insurance companies doing business in the State of Illinois,'" reported the same back with an amendment, and recommended its adoption, and that the bill as amended be passed.

On motion of Mr. Yager,

The rules were suspended, and the bill was read at large a second time, and ordered on file to be considered by sections; and,

On motion of Mr. Cummings,

The rules were suspended, and the bill was taken up for consideration by sections.

And the question being, "Shall the Senate adopt the amendment reported from committee on insurance?" it was decided in the affirmative.

Section 1 as amended was adopted.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

On motion of Mr. Donahue,

The rules were suspended, and House bill, No. 203, for "An act to provide for fencing railroads and to secure the safety of persons and property, their prompt transportation and the proper making up of trains and the management and running of locomotive engines and cars," was taken up and read at large a first time, and ordered to a second reading.

Senate bill, No. 470, for "An act to revise the law in relation to the seat of government,"

Was taken up and read at large a second time,

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 471, for "An act to revise the law in relation to slander and libel,"

Was taken up and read at large a second time.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 473, for "An act to revise the law in relation to sureties,"

Was taken up and read at large a second time.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 474, for "An act to revise the law in relation to county surveyors, and the custody of the United States field notes,"

Was taken up and read at large a second time.

Mr. Ferrell offered the following amendment:

Amend by striking out section 5, and inserting in its place the following:

"It shall be the duty of the county board or board of supervisors to furnish the county surveyor with a certified copy of the field notes of the original surveys, with maps, plats, etc., where not already provided, and shall also furnish him with an office and its necessary furniture, record books, fuel, stationery, etc."

And the question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brown, Casey, Castle, Ferrell, Glenn, Gundlach, Hampton, Henry, Kehoe, Lee, McGrath, Nicholson, Whiting, Wilcox, Youngblood—15.

Those voting in the negative are,

Messrs. Burke, Canfield, Cummings, Cusey, Donahue, Green, Hundley, Jacobs, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starne, Steele, Strong, Voria, Waite, Ware, Yager, Mr. President—22.

Mr. Waite offered the following amendment:

Strike out section 5 and insert the following in lieu thereof:

"§ 5. It shall be the duty of the county surveyor to procure from the State custodian of the original field notes of the United States survey, transferred from the United States Surveyor-General's office to this State, pursuant to an act of Congress, four certified copies of such field notes and plats, and keep the same in his office as a record the same as other records in his said office, subject to the examination and inspection at all times of any person desiring access thereto; and all surveys made by him shall be made in accordance with the same—the cost and expense of procuring the certified copies above referred to of such government notes and plats to be paid by the county: *Provided*, that counties now having such field notes and plats shall not be obliged to procure them."

Mr. Sanford offered the following amendment to the amendment, which was adopted:

Strike out "same" and insert the words "original survey of the land."

Mr. Waite offered the following amendment to the amendment, which was lost:

Amend by striking out the words "county surveyor" and insert "circuit clerk of each county."

Pending the consideration of the amendment as amended,

On motion of Mr. Cummings,

The bill and pending amendment were referred to the committee on agriculture and drainage.

Mr. Donahue (by unanimous consent) introduced Senate bill, No. 536, for "An act to amend an act entitled 'an act to provide for the incorporation of cities and villages,' approved April, 1872."

Which was ordered to a first reading.

On motion of Mr. Donahue,

The rules were suspended, and the bill was read at large a first time, ordered to a second reading, and referred to the committee on municipalities.

On motion of Mr. Ware,

The vote whereby Senate bill, No. 466, for "An act to revise the law in relation to pardons," was ordered engrossed and printed for a third reading, was reconsidered.

Mr. Ware offered the following amendment, which was adopted :

Amend by adding to the bill the following section :

"§ 5. The Governor may grant to any person, convicted of any offense punishable by imprisonment in the penitentiary, and whom he shall deem a proper person to enjoy that privilege, a certificate of restoration to all rights of citizenship. These rights shall extend to persons under the age of eighteen years convicted of infamous offenses, though such persons are not punishable by confinement in the penitentiary. The warden of the penitentiary or jailer, as the case may be, shall, upon request of the Governor, in cases of application for such restoration, furnish him a statement of the convict's deportment during his imprisonment, and may, at all times, make such recommendation to the Governor as he shall deem proper respecting the restoration to citizenship of any convict. The restoration herein provided for may be granted as well after as before the convict has suffered the punishment provided by law."

The question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No 475, for "An act to revise the law in relation to telegraph companies,"

Was taken up and read at large a second time.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 476, for "An act to revise the law in relation to tender,"

Was taken up and read at large a second time.

Mr. McGrath offered the following amendment, which was lost:

Amend section 3 by striking from line 2, the words "in specie," and insert the same words after the word "discount," in said line.

The question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Steele offered the following resolution :

Whereas a bill is now pending before the Senate, entitled a bill "to authorize the legislative authority of any incorporated city in the State of Illinois to sell parks and any other public grounds, etc.," which bill, should it become a law, will enable the city of Chicago to sell the property known as the "Lake Front" property in the city of Chicago; and whereas, doubts exist as to who owns the legal title to said property, there being many persons who believe the title to said property to be in the State of Illinois, or in certain railroad companies, or the United States; therefore,  
*Resolved*, That the Attorney General be and he is hereby requested to examine the title to said property, and report the result of such investigation to this General Assembly at as early a day as practicable.

On motion of Mr. Steele,

The rules were suspended and the resolution was taken up for consideration.

On motion of Mr. Voris,

The previous question was ordered.

The question being, "Shall the resolution be adopted?" it was decided in the affirmative.

On motion of Mr. Sheldon,

The Senate, at 5 o'clock P. M., adjourned.

THURSDAY, JANUARY 29, 1874—10 O'clock, A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Reed.

The journal of yesterday was being read, when,

On motion of Mr. Shepard,

The further reading of the same was dispensed with.

Mr. Palmer (by unanimous consent), from the committee on judicial department and apportionment, to which was referred Senate bill, No. 534, for "An act to amend an act entitled 'an act concerning circuit courts, and to fix the time for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook,' approved May 2, 1873," reported the same back and recommended its passage

The report of the committee was concurred in, and the bill ordered on file for a second reading, and,

On motion of Mr. Patterson,

The rules were suspended, and the bill was read at large a second time, and ordered on file to be considered by sections.

On motion of Mr. Patterson,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

On motion of Mr. Reynolds,

Leave of absence was granted Mr. Dow.

Mr. Jacobs (by unanimous consent), from the committee on corporations, to which was referred Senate bill, No. 264, for "An act to authorize telegraph companies owning lines and doing business in this State to borrow money and give security upon their property," reported the same back and recommended it be referred to the joint committee on revision.

The report of the committee was concurred in, and the bill ordered to be so referred.

Mr. Palmer, from the committee on judicial department and apportionment, to which was referred Senate bill, No. 237, for "An act to amend an act entitled 'an act to fix the time of holding the courts in the twenty-second judicial circuit,' approved April 12, 1871," reported the same back and recommended it be laid on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Ferrell presented a petition from county surveyors; which, on his motion, was referred to the committee on agriculture and drainage.

Mr. Casey presented a petition from the Farmers' Association of Jefferson county, relating to the General Assembly; which, on his motion, was referred to the committee on expenses of the general assembly.

Mr. Donahue presented a petition relating to extending of time for collection of taxes; which, on his motion, was referred to the committee on revenue.

Mr. Palmer presented a petition from the board of supervisors of Iroquois county relating to the repeal of a certain law; which on his motion, was referred to the committee on revenue.

Mr. Nicholson (by unanimous consent), from the committee on agriculture and drainage, to which was referred Senate bill, No. 427, for "An act to repeal section 1 of an act entitled 'an act to appropriate moneys in aid of the State Board of Agriculture, and of county agricultural boards,'" reported the same back and recommended it be laid on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

On motion of Mr. Donahue,

The rules were suspended, and House bill, No. 203, for "An act to provide for fencing railroads, and to secure the safety of persons and property, their prompt transportation, the proper making up of trains, and the management and running of locomotive engines and cars," was taken up and read at large a second time, and ordered on file to be considered by sections.

The President, at 10:30 o'clock A. M., announced the time for the special order, being the consideration of Senate bill, No. 459, for "An act to revise the law in relation to mines."

On motion of Mr. Cummings,

The consideration of the special order was postponed until 2:30 o'clock P. M.

On motion of Mr. Donahue,

The rules were suspended and the bill (House bill, No. 203) was taken up for consideration by sections.

The question being, "Will the Senate adopt the amendment reported from the committee on railroads?" in was decided in the affirmative.

Sections 1, 2 and 3, were adopted.

Mr. Casey offered the following amendment:

Amend section 4 by striking out the word "double," in the 5th line.

On motion of Mr. Castle,

Debate on the pending amendment was ordered closed.

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Casey, Glenn, Lee, Waite, Ware, Yager—7.

Those voting in the negative are,

Messrs. Burke, Castle, Cummings, Cusey, Donahue, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Nicholson, Patterson, Reynolds, Sanford, Shepard, Sterne, Strong, Voria, Warren, Whiting, Wilcox, Youngblood, Mr. President—27.

Mr. Cummings offered the following amendment, which was adopted:

Amend section 4, lines 8 and 9, by striking out the words "and a reasonable attorney's fee."

Mr. Hampton offered the following amendment, which was adopted:

Amend section 4, by inserting after the word "fenced," in line 3, the following: "Shall have the right to enter upon the land and track of said railroad company and."

Mr. Lee offered the following amendment, which was lost:

In line 6 strike out the words "one per cent.," and also the words "per month," in line 7, and insert, "the rate of six per cent. per annum."

Section 4 as amended was adopted.

Section 5 was adopted.

Mr. Yager offered the following amendment, which was lost:

Amend section 16 by adding the following thereto: "And the platform and coupling between all cars used in passenger trains run in this

State shall be so adjusted that it shall be impossible for persons, in passing from one car to another, to fall between the platform thereof."

Sections 6, 7, 8, 9, 10, 11, 12 and 13 were adopted.

Mr. Waite offered the following amendment:

Amend section 14 by striking out all after the word "water," in line 4.

On motion of Mr. Nicholson,

Debate was ordered closed on the pending amendment.

The question being, "Shall the amendment be adopted?" it was decided in the negative.

Mr. Ferrell (by unanimous consent) withdrew the motion, entered by him, to reconsider the vote whereby the Senate refused to confirm the nomination of J. B. Turner as Trustee for the Illinois Hospital for the Insane.

Mr. Casey moved to postpone the further consideration of the pending bill until Tuesday, February 3, 1874, at 10 o'clock A. M.

On motion of Mr. Henry,

The Senate, at 12:30 o'clock P. M., adjourned until 2:30 o'clock P. M.

#### TWO-THIRTY O'CLOCK P. M.

Senate met, pursuant to adjournment.

The President announced the time for the special order, being the consideration of Senate bill, No. 459, for "An act to revise the law in relation to mines."

On motion of Mr. Cummings,

The further consideration of the special order was postponed until 3 o'clock P. M. to-day.

The President announced the time for the special order, being the consideration of Senate bill, No. 447, for "An act to revise the law in relation to county courts."

On motion of Mr. Donahue,

The further consideration of the special order was postponed until 4 o'clock P. M. to-day.

The consideration of House bill, No. 203, for "An act to provide for fencing railroads, and to secure the safety of persons and property, their prompt transportation, the proper making up of trains, and the management and running of locomotive engines and cars," was resumed.

The pending question being, "Shall the further consideration of the bill be postponed until Tuesday, Feb. 3, 1874, at 10 o'clock A. M.?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Burke, Canfield, Casey, Cummings, Glenn, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Palmer, Patterson, Starnes, Voris, Waite, Ware, Wilcox, Yager, Youngblood—19.

Those voting in the negative are,

Messrs. Castle, Cusey, Donahue, Ferrell, Green, Hampton, Nicholson, Reynolds, Sanford, Shepard, Strong, Whiting, Mr. President—13.

Mr. Canfield moved to suspend the rules for the purpose of considering the following resolution:

*Resolved by the Senate, the House concurring herein, That when the respective houses adjourn on Thursday, January 29th, they stand adjourned until Tuesday, February 3d, at 6 o'clock P. M.*



The question being, "Shall the rules be suspended for the purpose of considering the resolution?" and the yeas and nays being demanded, it was decided in the negative by the following vote :

Those voting in the affirmative are,

Messrs. Canfield, Cummings, Donahue, Glenn, Hundley, Kelly, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Voris, Waite, Ware—15.

Those voting in the negative are,

Messrs. Burke, Casey, Castle, Cusey, Ferrell, Green, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, Shepard, Starnes, Steele, Strong, Whiting, Wilcox, Yager, Youngblood, Mr. President—30.

Senate bill, No. 477, for "An act to revise the law in relation to toll bridges,"

Was taken up and read at large a second time.

Mr. Whiting offered the following amendment, which was adopted :

Amend section 10 by adding: "*Provided*, that any person who shall falsely represent himself to be one of the above exempt from toll, shall be fined not less than five dollars nor more than ten dollars."

The question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 478, for "An act to revise the law in relation to township insurance companies," was taken up for a second reading.

On motion of Mr. Steele,

The bill was recommitted to the joint committee on revision.

Senate bill, No. 479, for "An act to revise the law in relation to universities, colleges, academies, and other institutions of learning,"

Was taken up and read at large a second time.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 480, for "An act to revise the law in relation to the vacation of streets, alleys and public grounds,"

Was taken up and read at large a second time.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

The President, at 3 o'clock P. M., announced the time for the special order, being the consideration of Senate bill, No. 459, for "An act to revise the law in relation to mines."

Mr. Hinchcliffe offered amendments to sections 2, 3 and 4.

Mr. Strong (by unanimous consent) offered amendments.

On motion of Mr. Hinchcliffe,

The bill and amendments were referred to the committee on mines and mining.

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, to-wit :

House bill, No. 486, for "An act to restrict solitary confinement to certain cases in the Illinois State Penitentiary."

In the passage of which I am instructed to ask the concurrence of the Senate.

Senate bill, No. 481, for "An act to revise the law in relation to toll roads,"

Was taken up and read at large a second time.

Mr. Ware offered the following amendment, which was adopted :

Amend by striking out of line 1 the word "sixteen," and insert "fourteen."

Mr. Ware offered the following amendment, which was adopted :

Amend by striking out of line 2 the word "three" and insert the word

"one," and strike out "three" wherever it occurs in the section in connection with the word "miles," and insert "one."

Mr. Ware offered the following amendment, which was adopted:

Amend by adding:

"§ 27. Any turnpike, plank, gravel, macadamized or other toll road company heretofore incorporated by general or special act of incorporation, having obtained the right of way in pursuance of law for an extension of its road, may extend its road, at either end, by giving the notice required in section three of this act, and obtaining the consent as provided in sections one and four of this act; and whenever any such company shall have extended its road as aforesaid, any distance not less than one mile, and so, from time to time, as often as one mile in addition shall be completed adjoining that previously constructed, the county board of the county in which the road lies shall, on application, appoint three judicious householders, who shall, on oath, examine the same and report their opinion to the county board, in writing; and if it shall appear from such report, to the satisfaction of the board, that such extension is completed agreeably to the provisions of this act and suitable for travel, such board shall authorize the collection of toll thereon, as provided in this act."

Mr. Whiting offered the following amendment, which was adopted:

Amend section 14, line 6, by inserting after the word "gate," the words "or falsely represent himself as being one of the class exempt from toll."

The question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 482, for "An act to revise the law in relation to weights and measures,"

Was taken up and read at large a second time.

Mr. Nicholson offered the following amendment, which was lost:

Amend section 7 by making standard weight of corn, in ear, 68 pounds, instead of 70 pounds.

Mr. Cummings offered the following amendment, which was lost:

Amend section 7 by changing weight of oats, per bushel, to 35 pounds.

Mr. Nicholson offered the following amendment, which was lost:

Amend section 7, by striking out the words "fine salt 55 pounds."

Mr. Starue offered the following amendment, which was adopted:

Amend section 11, by striking out the words in 2d line, "that may be brought to them for that purpose," and insert "when requested so to do."

The President, at 4 o'clock P. M., announced the time for the special order, being the consideration of Senate bill, No. 447, for "An act to revise the law in relation to county courts."

On motion of Mr. Sanford,

The further consideration of the special order was postponed until Friday, February 6, 1874, at 10 o'clock A. M.

Mr. Hampton offered the following amendment:

Amend by adding to section 14: "Provided, the provisions of this section shall not apply to farmers and feeders who are not regular dealers."

On motion of Mr. Cummings,

Debate was ordered closed on the pending amendment.

The question being, "Shall the amendment be adopted?" and the yeas

and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Burke, Casey, Cusey, Donahue, Ferrell, Glenn, Green, Hampton, Henry, Hundley, Jacobs, Kahoe, Kelly, Nicholson, Warren—15.

Those voting in the negative are,

Messrs. Cummings, Hinchcliffe, Lee, McGrath, Palmer, Reynolds, Sanford, Shepard, Starne, Steele, Strong, Upton, Waite, Ware, Whiting, Wilcox, Yager, Youngblood, Mr. President—19.

Mr. Whiting offered the following amendment:

Amend section 14, by striking out in line 2, the words "have been sealed as provided in this act, and which, at the time of the sale."

On motion of Mr. Wilcox,

Debate was ordered closed on the pending amendment.

The question being, "Shall the amendment be adopted?" it was decided in the affirmative.

Mr. Starne offered the following amendment:

Add to section 14: "*Provided*, that this act shall not apply to platform or track scales."

On motion of Mr. Henry,

Debate was ordered closed on the pending amendment.

The question being, "Shall the amendment be adopted?" it was decided in the negative.

The question then being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Shepard (by unanimous consent) offered the following resolution:

*Resolved by the Senate*, That the Auditor of Public Accounts be requested to report to the Senate a statement of the facts, as appear from the records of his office and the proceedings of the State Board of Equalization, in 1872 in relation to an alleged erroneous equalization of the assessment of McLean county, for the year 1872.

On motion of Mr. Shepard,

The rules were suspended, and the resolution was taken up for consideration.

Mr. McGrath offered the following amendment, which was lost:

Amend by inserting after the word "McLean," the words "and Cook."

The question being, "Shall the resolution be adopted?" it was decided in the affirmative.

On motion of Mr. Ferrell,

The Senate, at 5 o'clock P. M., adjourned.

FRIDAY, JANUARY 30, 1874—10 O'clock A. M.

The Senate met, pursuant to adjournment.

The journal of yesterday was being read, when,

On motion of Mr. Cusey,

The further reading of the same was dispensed with.

The President presented a communication from the Executive Committee of the Illinois Press Association.

On motion of Mr. Cummings,

The communication was referred to the committee on revision.

Senate bill, No. 492, for "An act to revise the law in regard to horse and dummy railroads,"

Was taken up and read at large a second time.

Mr. Whiting offered the following amendment, which was adopted: Amend by inserting in section 1, line 4, after "railroad," the words "or tramway."

The question being, "Shall the bill be engrossed and printed for a third reading? it was decided in the affirmative.

By unanimous consent, the following reports from committees were made:

Mr. Sanford, from the committee on judiciary, to which was referred House bill, No. 530, for "An act to amend an act entitled 'an act in regard to practice in courts of record,'" reported the same back and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Sanford, from the committee on judiciary, to which was referred House bill, No. 343, for "An act to amend section five of an act entitled 'an act in regard to evidence and depositions in civil cases,' approved March 29, 1872," reported the same back and recommended that it do not pass and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Sanford, from the committee on judiciary, to which was referred Senate bill, No. 494, for "An act to amend an act entitled 'an act concerning masters in chancery,' approved April 4, 1872," reported the same back and recommended that it do not pass and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Sanford, from the committee on judiciary, to which was referred Senate bill, No. 490, for "An act in regard to malicious mischief," reported the same back and recommended that it do not pass and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Sanford, from the committee on judiciary, to which was referred Senate bill, No. 523, for "An act to allow interest and attorneys' fees in all cases where suit is brought for the collection of wages," reported the same back and recommended that it do not pass and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Sanford, from the committee on judiciary, to which was referred Senate bill, No. 500, for "An act to provide for the payment of the railroad debts of counties, townships, incorporated cities and towns," reported the same back, and recommended that it do not pass and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Sanford, from the committee on judiciary, to which was referred Senate bill, No. 353, for "An act to amend an act entitled 'an act in regard to guardians and wards,' approved April 10, 1872," reported the same back, and recommended that it pass.

The report of the committee was concurred in, and the bill ordered on file for a second reading.

Mr. Sanford, from the committee on judiciary, to which was referred the following rule :

"Rule 68. Hereafter no Senator shall be appointed on the committee on appropriations who represents a district that is asking an appropriation for the building, completion or furnishing of any institution located in their respective districts,"

Reported the same back and recommended that it be not adopted.

Mr. Sanford moved that the rule be laid on the table.

The question being, "Shall the rule lie on the table?" and the yeas and nays being demanded, it was decided in the negative by the following vote :

Those voting in the affirmative are,

Messrs. Brown, Casey, Henry, Lee, McGrath, Nicholson, Sanford, Steele, Upton, Ware, Wilcox—11.

Those voting in the negative are,

Messrs. Casey, Castle, Cummings, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Palmer, Patterson, Reynolds, Shepard, Starne, Voris, Whiting, Yager, Youngblood—23.

A message from the House of Representatives, by Mr. Magie :

Mr. President : I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, to-wit :

House bill, No. 654, for "An act to amend an act entitled 'an act for the assessment of property and the levy and collection of taxes,' approved March 30, 1872."

In the passage of which I am instructed to ask the concurrence of the Senate.

On motion of Mr. Nicholson,

Debate was ordered closed on the pending question.

The question being, "Shall the rule be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Casey, Castle, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Murphy, Nicholson, Palmer, Patterson, Reynolds, Shepard, Starne, Strong, Upton, Voris, Whiting, Yager, Youngblood—29.

Those voting in the negative are,

Messrs. Brown, Casey, Wilcox—3.

Mr. Glenn (by unanimous consent) introduced Senate bill, No. 537, for "An act to provide for the payment of the registered indebtedness of counties, townships, cities and towns."

Which was ordered to a first reading.

On motion of Mr. Glenn,

The rules were suspended and the bill was read at large a first time, and ordered to a second reading and to be printed.

Mr. Hampton (by unanimous consent) called up the following resolution :

WHEREAS, the United States Centennial Commission has requested the appointment in each State of a "State Board of Managers," to represent their respective States at the International Exhibition to be held in the city of Philadelphia in 1876; therefore,

*Resolved by the Senate, the House of Representatives concurring herein.* That the Governor be and is hereby authorized to appoint a "State Board of Managers," consisting of seven members, two of whom shall be the U. S. Centennial Commissioner and alternate heretofore appointed, to represent the interests of this State at the International Exhibition to be held at the city of Philadelphia in 1876. And the Governor is also hereby authorized to require said "State Board of Managers," annually, to report to him their proceedings on or before the first of January, to be by him submitted to the General Assembly: *Provided*, that said Board of Managers shall not incur any expense, personal or otherwise, on behalf of the State.

Mr. Nicholson offered the following amendment, which was lost :

Amend by striking out the "proviso."

The question then being, "Shall the resolution be adopted?" it was decided in the affirmative.

Mr. Henry (by unanimous consent) called up the following bill:

House bill, No. 468, for "An act to amend section 3 of an act entitled 'an act to allow convicts in the penitentiary a credit in diminution of their sentence, and for their being restored to citizenship on certain conditions,' approved March 19, 1872."

On motion of Mr. Henry,

The rules were suspended and the bill was discharged from consideration by sections.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative.

On motion of Mr. Henry,

The rules were suspended, and House bill, No. 468, for "An act to amend section 3 of an act entitled 'an act to allow convicts in the penitentiary a credit in diminution of their sentence, and for their being restored to citizenship on certain conditions,' approved March 19, 1872," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 30, nays 4.

Those voting in the affirmative are,

Messrs. Casey, Castle, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Reynolds, Shepard, Steele, Upton, Voris, Ware, Whiting, Wilcox, Yager, Mr. President—30.

Those voting in the negative are,

Messrs. Brown, Burke, Starnes, Youngblood—4.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Henry entered a motion to reconsider the vote whereby the bill was passed.

On motion of Mr. Hampton,

Leave of absence was granted Mr. Sanford until Wednesday.

Mr. Yager (by unanimous consent) called up Senate bill, No. 110, for "An act for the relief of the prosecuting attorney of the Alton city court."

On motion of Mr. Yager,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

On motion of Mr. Henry,

The rules were suspended, and House bill, No. 500, for "An act to amend section 14 of an act entitled 'an act to provide for the management of the Illinois State Penitentiary, at Joliet,'" was taken up, read at large a first time and ordered to a second reading, and,

On motion of Mr. Henry,

Referred to the committee on penal institutions.

On motion of Mr. Henry,

The rules were suspended, and House bill, No. 486, for "An act to restrict solitary confinement to certain cases in the Illinois State Penitentiary," was taken up, read at large a first time, and ordered to a second reading, and,

On motion of Mr. Henry,

Referred to the committee on penal institutions.

Mr. Youngblood (by unanimous consent) presented a preamble and resolutions from citizens of Ewing, Franklin county, relating to the State Board of Equalization; which, on his motion, was referred to the committee on revenue.

Mr. Steele (by unanimous consent) introduced Senate bill, No. 538, for "An act to amend section 54, of article 9, of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, 1872."

Which was ordered to a first reading, and,

On motion of Mr. Steele,

The rules were suspended, the bill was read at large a first time and ordered to a second reading, and referred to the committee on municipalities.

Mr. Youngblood (by unanimous consent) introduced Senate bill, No. 539, for "An act making an appropriation to pay off the indebtedness on the Little Wabash River Improvement."

Which was ordered to a first reading, and,

On motion of Mr. Youngblood,

The rules were suspended, and the bill was read at large a first time, ordered to a second reading, and referred to the committee on appropriations.

Mr. Patterson (by unanimous consent) called up Senate bill, No. 238, for "An act to provide for the payment of military companies while on duty at Chicago, in the month of October, 1871."

The question being, "Will the Senate adopt the amendments reported by the committee on appropriations?" it was decided in the affirmative.

On motion of Mr. Patterson,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 483, for "An act to repeal certain acts therein named," was taken up.

And the same was being read at large a second time, when,

On motion of Mr. Palmer,

The Senate, at 12:05 o'clock P. M., adjourned until 2:30 o'clock P. M.

#### TWO-THIRTY O'CLOCK, P. M.

Senate met, pursuant to adjournment.

Mr. Voris (by unanimous consent) introduced Senate bill, No. 540, for "An act to make boards of trustees of State institutions responsible, personally, when they enter into contracts for buildings, improvements or supplies in excess of appropriations made for such purpose."

Which was ordered to a first reading, and,

On motion of Mr. Voris,

The rules were suspended, and the bill read at large a first time, ordered to a second reading, and referred to the committee on judiciary.

On motion of Mr. McGrath,

The rules were suspended, and House bill, No. 598, for "An act in relation to the collection of wages," was taken up, read at large a first time and ordered to a second reading, and,

On motion of Mr. McGrath,

Referred to the committee on manufactures.

Mr. Shepard, (by unanimous consent) from the committee on appropriations, to which was referred Senate bill, No. 364, for "An act to appropriate money to pay the salary and expenses of publishing the report of the State Entomologist," reported the same back, and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading.

Mr. Murphy (by unanimous consent) presented a petition from citizens of Perry county, relating to the Southern Illinois Normal University; which, on his motion, was referred to the committee on appropriations.

The consideration of Senate bill, No. 483, for "An act to repeal certain acts therein named," was resumed.

The bill was read at large a second time, and,

On motion of Mr. Steele,

The further consideration of the bill was postponed to and made the special order for Tuesday, February 3, 1874, at 10 o'clock A. M.

On motion of Mr. Jacobs,

The rules were suspended, and House bill, No. 306, for "An act to authorize courts of record in certain cases to order lands to be subdivided and platted," was taken up, read at large a first time and ordered to a second reading, and referred to the committee on judiciary.

On motion of Mr. Palmer,

The Senate, at 3:30 o'clock P. M., adjourned.

#### SATURDAY, JANUARY 31, 1874—10 O'clock A. M.

The Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Reed.

The journal of yesterday was being read, when,

On motion of Mr. Henry,

The further reading of the same was dispensed with.

Mr. Strong entered a motion to reconsider the vote whereby rule 68 was adopted.

The President presented a communication from the Auditor, relating to the assessment of McLean county.

On motion of Mr. Shepard,

The communication was referred to the committee on appropriations.

By unanimous consent, the orders of House and Senate bills on first reading were ordered taken up.

Senate bill, No. 533, for "An act to amend 'an act to organize and regulate the business of life insurance,' approved March 26, 1869."

Was taken up, read at large a first time, and ordered to a second reading, and,

On motion of Mr. Reynolds,

Referred to the committee on insurance.

House bill, No. 188, for "An act to protect persons pledging personal property as collateral security for loans of money in the State of Illinois,"



Was taken up, read at large a first time, and ordered to a second reading, and,

On motion of Mr. Upton,

Referred to the committee on revision.

House bill, No. 571, for "An act in regard to district school organizations, created by special or private laws, to discontinue such organization, and to return to organization under the general school laws of the State,"

Was taken up, read at large a first time and ordered to a second reading, and,

On motion of Mr. Hampton,

Referred to the committee on education.

House bill, No. 645, for "An act to revise the law in relation to limited partnerships,"

Was taken up and read at large a first time, and ordered to a second reading.

House bill, No. 647, for "An act to revise the law in relation to names,"

Was taken up and read at large a first time, and ordered to a second reading.

House bill, No. 649, for "An act to revise the law in relation to oaths and affirmations,"

Was taken up and read at large a first time, and ordered to a second reading.

House bill, No. 651, for "An act to revise the law in relation to promissory notes, bonds, due bills, and other instruments in writing,"

Was taken up and read at large a first time, and ordered to a second reading.

House bill, No. 652, for "An act to revise the law in relation to the State library,"

Was taken up and read at large a first time, and ordered to a second reading.

Mr. Ware (by unanimous consent) introduced Senate bill, No. 541, for "An act to amend section 20 of an act entitled 'an act in regard to gateways, roads and bridges, in counties not under township organization,' approved April 18, 1873."

Which was ordered to a first reading.

On motion of Mr. Ware,

The rules were suspended, and the bill was read at large a first time and ordered to a second reading, and referred to the committee on roads, highways and bridges.

On motion of Mr. Palmer,

Leave of absence was granted Mr. Kelly.

On motion of Mr. Reynolds,

Leave of absence was granted Senators Nicholson, Wilcox and Gundlach.

On motion of Mr. Lee,

Leave of absence was granted Mr. Brown.

Mr. Henry, (by unanimous consent) from the committee on penal institutions, to which was referred House bill, No. 486, for "An act to restrict solitary confinement to certain cases in the Illinois State Penitentiary," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading.

Mr. Upton, from the committee on revision, to which was referred Senate bill, No. 311, for "An act to provide for and regulate public

printing," reported the same back, and recommended it be recommitted to the committee on printing.

The report of the committee was concurred in, and the bill ordered to be recommitted to said committee.

Mr. Henry, (by unanimous consent) from the committee on penal institutions, to which was referred House bill, No. 500, for "An act to amend section 14 of an act entitled 'an act to provide for the management of the Illinois State Penitentiary at Joliet,'" reported the same back with an amendment, and recommended its adoption, and that the bill as amended be passed.

The bill was ordered on file for second reading.

On motion of Mr. Ferrell,

The Senate, at 11 o'clock A. M., adjourned.

MONDAY, FEBRUARY 2, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by the Rev. Mr. Reed.

The journal of Saturday was being read, when,

On motion of Mr. Ferrell,

The further reading of the same was dispensed with.

Mr. Whiting presented a petition from citizens of the counties of Marshall, Bureau and Putnam, relating to damaged and overflowed lands, sustained by the erection of a dam and lock at Henry; which, on his motion, was referred to the committee on canals and rivers.

Mr. Whiting presented a petition from citizens of the counties of Bureau and Putnam, relating to a ferry across the Illinois river; which, on his motion, was referred to the committee on roads, highways and bridges.

Mr. Hampton (by unanimous consent) offered the following resolution, which laid over under the rule:

WHEREAS, the duties of the newspaper reporters in attendance upon the sessions of the Senate are arduous; and whereas, the General Assembly, not regarding the wishes of a portion of said newspaper reporters, have persistently refused to take a recess, in order that said reporters could visit their families and friends, and in some sense regain their lost temper; therefore, be it

Resolved, That such of said reporters as may desire it shall have leave of absence for one week from this day.

The President made the following announcement:

I hereby appoint on the part of the Senate, as members of joint committee to investigate the affairs of the State charitable institutions, as authorized by the resolution adopted by the Senate January 26, 1874, Senators Dow and Glenn.

JOHN EARLY, *President.*

By unanimous consent, the order of introduction of bills was taken up.

Mr. Jacobs introduced Senate bill, No. 542, for "An act to amend section number one hundred and nine (109) of an act entitled 'an act in regard to the administration of estates,' approved April 1, 1872."

Which was ordered to a first reading, and,

On motion of Mr. Jacobs,

The rules were suspended, and the bill read at large a first time and ordered to a second reading, and referred to the committee on judiciary.

Mr. Upton, from committee on revision, introduced Senate bill, No. 543, for "An act concerning covenants of warranty."

Which was ordered to a first reading.

On motion of Mr. Upton,

The rules were suspended, and the bill read at large a first time, and ordered to a second reading.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed :

Senate bill, No. 507, for "An act to amend an act entitled 'an act to incorporate and govern fire, marine, and inland navigation insurance companies doing business in the State of Illinois.'"

Senate bill, No. 529, for "An act to amend 'an act concerning circuit courts, and to fix the times of holding the same in the several counties in the State of Illinois, exclusive of Cook,' approved May 2, 1873."

Senate bill, No. 534, for "An act to amend an act entitled 'an act concerning circuit courts, and to fix the times for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of Cook,' approved May 2, 1873."

Mr. Youngblood introduced Senate bill, No. 544, for "An act to provide county judges and State's attorneys in each county of the State with the decisions of the supreme court of the State."

Which was ordered to a first reading, and,

On motion of Mr. Youngblood,

The rules were suspended, and the bill was read at large a first time, and ordered to a second reading, and referred to the committee on judiciary.

On motion of Mr. Upton,

The rules were suspended for the purpose of receiving reports from committees.

Mr. Upton, from the joint committee on revision, to which was referred Senate bill, No. 422, for "An act to provide for the release of the dower rights of insane married women," reported the same back, and recommended it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Upton, from the joint committee on revision, to which was referred Senate bill, No. 413, for "An act to insure the enforcement of an act entitled 'an act to amend an act concerning weights and measures,'" reported the same back, and recommended it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Upton, from the joint committee on revision, to which was referred House bill, No. 442, for "An act to amend an act entitled 'Divorce,' approved March 3, 1845," reported the same back and recommended it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Murphy (by unanimous consent) offered the following resolution :

WHEREAS the cost and price of the agricultural and domestic products of this State, and indeed of the entire North-West, are and in the future will continue to be increased or decreased in our own markets in proportion to the cost of their production, as well as in the cost of transportation; and whereas the cost of such production can be materially reduced, and the price in our own markets thereby increased, by the abatement and overthrow of the numerous patent-right monopolies, that have grown up in our country and are now fostered, protected and sustained by the operation of the laws of the United States granting and extending such rights; and whereas the whole people of the United

States are interested in the cost of agricultural and domestic productions, and consequently in the cost and prices of agricultural and domestic inventions and implements; therefore

*Resolved by the Senate, the House of Representatives concurring herein,* That, in the opinion of this General Assembly, it is the duty of Congress to repeal the present patent-right laws, and to abolish the granting, renewing and extending of such rights, at least so far as they relate or apply to agricultural implements and implements of domestic use.

*And be it further resolved,* That instead of granting patent-rights for a term of years and the extending such rights, the Government should only protect the inventor of any new agricultural implement or implements for domestic use until such time as its utility can be fairly tested and its worth ascertained under proper rules and regulations therefor, to be established by the general Government and the proper departments thereof; and that after such value shall have been ascertained, the Government should purchase such invention, paying therefor a just and reasonable compensation to the inventor, such compensation to be ascertained under the provisions of proper laws to be enacted for that purpose, and paid out of the United States treasury; and thereupon the Government should allow the free manufacture and sale of such implements.

*And be it further resolved,* That, in the opinion of this General Assembly, the Government should at once pass such proper enactments as will carry into effect, substantially, the views herein expressed; and that our Senators in Congress be instructed and our Representatives requested to use all proper means to procure the passage of such laws as will carry out the ideas herein expressed; and that the Secretary of State be directed to transmit a copy of these resolutions to each of our Senators and Representatives now in Congress assembled.

On motion of Mr. Murphy,

The rules were suspended, and the foregoing resolution was taken up for consideration.

Mr. Murphy moved to make the resolution the special order for Friday, February 6, 1874, at 2:30 o'clock P. M.

Mr. Lee moved to refer the resolution to the committee on federal relations.

The question being, "Shall the resolution be so referred?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Casey, Green, Hampton, Henry, Hinchcliffe, Jacobs, Lee, McGrath, Patterson, Reynolds, Shepard, Strong, Thompson, Upton, Whiting, Mr. President—16.

Those voting in the negative are,

Messrs. Burke, Casey, Castle, Ferrell, Glenn, Kehoe, Murphy, Palmer, Sterne, Ware, Youngblood—11.

On motion of Mr. Burke,

The rules were suspended, and Senate bill, No. 420, for "An act to provide for the organization of county fire insurance companies," was taken up for consideration by sections.

All the sections of the bill were adopted.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

By unanimous consent, the order of bills of the House of Representatives on first reading was taken up.

House bill, No. 522, for "An act to repeal an act entitled 'an act to establish a board of fire engineers and to reorganize the fire department in the city of Quincy,' approved February 16, 1865, and an act entitled 'an act to amend an act entitled an act to establish a board of fire engineers and to reorganize the fire department in the city of Quincy, Illinois,' approved February 18, 1867,"

Was taken up and read at large a first time, and ordered to a second reading.

House bill, No. 654, for "An act to amend an act entitled 'an act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872,"

Was taken up and read at large a first time, and ordered to a second reading.

House bill, No. 537, for "An act to repeal an act entitled 'an act to attach a portion of town nineteen north, range twelve west, to town eighteen north, range twelve west, in Vermilion county, State of Illinois,' approved February 21, 1859,"

Was taken up and read at large a first time, and ordered to a second reading.

Mr. Henry withdrew his motion to reconsider the vote whereby House bill, No. 468, for "An act to amend section three (3) of an act entitled 'an act to allow convicts in the penitentiary a credit in diminution of their sentence, and for their being restored to citizenship on certain conditions,' approved March 19, 1872," was passed.

House bill, No. 310, for "An act to provide for the sale of unclaimed property by common carriers, warehousemen and innkeepers,"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Hampton,

Referred to the joint committee on revision.

House bill, No. 716, for "An act providing for trial of rights of property in certain cases before county courts,"

Was taken up and read at large a first time, and ordered to a second reading.

House bill, No. 655, for "An act to amend an act entitled 'an act concerning bail in civil cases,' approved January 22, 1872."

Was taken up and read at large a first time, and ordered to a second reading.

House bill, No. 594, for "An act to amend an act entitled 'an act to provide for the incorporation of cities and villages,'"

Was taken up and read at large a first time, and ordered to a second reading, and,

On motion of Mr. Hampton,

Referred to the committee on municipalities.

House bill, No. 433, for "An act to amend section forty-seven of an act entitled 'an act in regard to evidence and depositions in civil cases,' approved March 29, A. D. 1872,"

Was taken up and read at large a first time, and ordered to a second reading.

Mr. Starne (by unanimous consent) introduced Senate bill, No. 545, for "An act to repeal an act entitled 'an act for the registry of electors, and to prevent fraudulent voting,' approved February 15, 1865."

Which was ordered to a first reading.

On motion of Mr. Starne,

The rules were suspended, and the bill read at large a first time, and ordered to a second reading, and referred to the committee on elections.

By unanimous consent, the order of bills from the House of Representatives on second reading, was taken up.

House bill, No. 396, for "An act to secure to children elementary instruction,"

Was taken up, and read at large a second time, and,

On motion of Mr. Kehoe,

Referred to the committee on education.

House bill, No. 648, for "An act to revise the law in relation to notices,"

Was taken up and read at large a second time, and

Mr. Upton offered the following amendment, which was adopted:

Amend section 5 by adding thereto the following words, "in the city, town or county."

The question being, "Shall the bill be read a third time, and the amendment printed?" it was decided in the affirmative.

House bill, No. 622, for "An act to revise the law in relation to costs,"

Was taken up and read at large a second time.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative.

Mr. Henry (by unanimous consent) called up for consideration the following resolution, offered by him February 13, A. D. 1873:

WHEREAS, by the Constitution of the State of Illinois, it is provided that the General Assembly shall provide a thorough and efficient system of free schools, whereby all the children of the State may receive a good common school education; and whereas, by an act of the Twenty-seventh General Assembly, it was provided that every board of school directors should "establish and keep in operation a sufficient number of free schools for the proper accommodation of all the children in the district over the age of six and under twenty-one years, and shall secure to all such children the right and opportunity to an equal education in such free schools;" and whereas, in the ninth biennial report of the Superintendent of Public Instruction of the State of Illinois, it is stated that "in a few instances colored children have been openly refused admittance to the public schools, and no provision whatever made or attempted to be made for their education—they have simply been ignored or disregarded altogether, just as before the change in the constitution and laws;" therefore,

*Resolved by the Senate,* That they instruct their committee on education to make further inquiry into this alleged violation of law; and if, upon such inquiry, they deem it necessary to provide a penalty for the aforesaid offense, that they thereupon report by bill for that purpose to the Senate.

Mr. Casey offered the following amendment:

Amend the resolution by adding the following: "And that in said bill they provide for separate schools for colored children."

Pending the consideration of the resolution and amendment,

On motion of Mr. Lee,

The Senate, at 12:45 o'clock P. M., adjourned until 2:30 o'clock P. M.

## TWO-THIRTY O'CLOCK, P. M.

Senate met, pursuant to adjournment.

The consideration of the resolution and amendment thereto, which was pending at the time of the last adjournment, was resumed.

Mr. Starne offered the following amendment to the amendment:

"And that in said bill they provide that the trustees may establish separate schools for colored children in districts containing a sufficient colored population to maintain the same."

On motion of Mr. Glenn,

The previous question was ordered.

The question being, "Shall the amendment to the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Burke, Casey, Glenn, Lee, Murphy, Starne, Voria, Youngblood—9.

Those voting in the negative are,

Messrs. Castle, Cusey, Ferrell, Green, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, McGrath, Patterson, Reynolds, Shepard, Steele, Strong, Thompson, Upton, Ware, Whiting, Yager, Mr. President—21.

The question then being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Burke, Casey, Lee, Murphy—5.

Those voting in the negative are,

Messrs. Castle, Cusey, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, McGrath, Palmer, Patterson, Reynolds, Shepard, Short, Starne, Steele, Strong, Thompson, Upton, Voria, Ware, Whiting, Yager, Youngblood, Mr. President—26.

The question then being, "Shall the resolution be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Castile, Cusey, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Palmer, Patterson, Reynolds, Shepard, Steele, Upton, Voris, Whiting, Yager, Youngblood, Mr. President—22.

Those voting in the negative are,

Messrs. Archer, Burke, Casey, Lea, McGrath, Murphy, Starna, Strong, Thompson, Ware—10.

Mr. McGrath, from the committee on enrolled bills, begs leave to report that a bill of the following title has been correctly enrolled, and, on the 2d day of February, 1874, laid before the Governor for his approval, to-wit:

House bill, No. 309, for "An act for the relief of Fredrick Wagner."

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed a bill of the following title, viz:

House bill, No. 309, for "An act for the relief of Fredrick Wagner."

Mr. Voris (by unanimous consent) offered the following resolution, which was laid over under the rule:

WHEREAS, it appears from the warrants drawn by the Auditor of Public Accounts of this State on account of the Railroad and Warehouse Commission to date, as follows:

For salaries of commissioners.....	\$24,534 30
For salary of secretary and incidental expenses of office.....	8,338 33
For expenses incurred in investigating, etc.....	2,794 19
For printing schedules, etc.....	6,654 30

Making total since organization of the commission of.....\$42,330 90

And whereas, it was made the duty of the Board of Railway and Warehouse Commissioners by an act approved May 2, 1873, "An act to prevent extortion and unjust discrimination in the rates of charges for the transportation of passengers and freights on the different railroads in this State, and to punish the same and to prescribe rules of evidence in relation thereto;" and whereas, under sections 3 and 8 of said act the Railway and Warehouse Commissioners have scheduled the different railroads of this State, fixing the rates of charges for freight and passengers in accordance with the provisions of said act; and whereas, the rates on the Chicago, Burlington and Quincy, and Chicago and Paducah railroads from Chicago to Windsor, Ill., as per schedule of the Railway and Warehouse Commissioners, is on lumber \$51 35 per car load, and as per original tariff of the same railroad companies was \$36 20, making an increase of charges of \$15 15; on grain, as per schedule of the Railway and Warehouse Commissioners, is \$9 9-100 of a cent per 100 pounds, the original charges of said railroad companies were 16 and 38-100 per 100 pounds, making an increase of 12 and 67-100 of a cent per 100 pounds; on cattle and hogs per car load, as per schedule of Railway and Warehouse Commissioners, is \$48 68, the original charge of said railroad companies was \$34 30 per car load from Windsor to Chicago, making an increase of \$14 56 per car load, which increases the rates on said railroads about 40 per cent. from what they were previous to January 14, 1874; and whereas, it appears from the schedule prepared by the Board of Railway and Warehouse Commissioners that their schedule for the Illinois Central Railroad is *prima facie* evidence that they are reasonable maximum rates on all grain except wheat, for the transportation for 500 miles per 100 pounds, is 25 37-100 cents; on lumber per car load, for 500 miles, is \$40 50; where it appears from the schedule of the Chicago, Burlington and Quincy, and Chicago and Paducah Railroads, distance from Windsor to Chicago 227 miles, the rate on all grain except wheat is \$9 9-100 cents per 100 pounds—the difference between 500 miles on the Illinois Central, and 227 miles on the Chicago, Burlington and Quincy, and Chicago and Paducah Railroad is 3 72-100 cents against the shorter distance; on lumber the difference in excess is \$1 35; and whereas there exists in the minds of the shippers, producers, and the consumers of this community that there is a gross injustice between the schedules of the different railroads of this State as prepared by the Railway and Warehouse Commissioners, believing the friction on one mile of track is the same as on another for the same number of cars passing over. Believing the handling expense is the same on a long distance as the same is on a shorter distance, they are compelled to believe that there must be something wrong, either in the Illinois Central Railroad schedule as prepared by the Railway and Warehouse Commissioners, or the schedule prepared by the same for the Chicago Burlington and Quincy and Chicago and Paducah Railroads. Whereas, it appears that the Board of Railway and Warehouse Commissioners are public servants, and have drawn rations from the Disbursing Bureau of this State of \$42,330 90; therefore, be it—

*Resolved*, That the following questions are respectfully asked, to be answered by the Board of Railway and Warehouse Commissioners: Upon what basis were the schedules of the Chicago and Paducah and Chicago, Burlington and Quincy Railroads, fixing the rates from Chicago to Windsor—a distance of 227 miles—on lumber at \$51 35-100, and on the Illinois Central, from Dunleith to Cairo, a distance of 500 miles, at \$49 50-100, making the rate \$1 35-100 cheaper from Dunleith to Cairo, a distance of 500 miles, than from Chicago to Windsor, a distance of 227 miles, and increasing the rate as per charges of the Chicago and Paducah, and Chicago, Burlington and Quincy Railroads previous to January 14, 1874, on lumber per car load of \$15 14 from Chicago to Windsor, and increasing the rates on cattle and hogs per car load from \$34 30 to \$48 68 between the said points, making the increase of \$14 56 per car load?

*And be it further resolved*, That the Board of Railway and Warehouse Commissioners are requested to furnish the above information as soon as practicable to this Senate.

*And be it further resolved*, That the Attorney-General be and is hereby requested to give his written opinion in regard to the constitutionality of sections 3 and 8 of "An act approved May 2, 1873, to prevent extortion and unjust discrimination in the rates charged for the transportation of passengers and freight on railroads in the State, and to punish the same and prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal an act entitled 'an act to prevent unjust discrimination and extortions in the rates to be charged by the different railroads in the State for the transportation of freight on said roads,' approved April 7, 1871."

Mr. McGrath (by unanimous consent) introduced Senate bill, No. 546, for "An act to amend an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' in force July 1, 1872."

Which was ordered to a first reading, and,

On motion of Mr. McGrath,

The rules were suspended, and the bill was read at large a first time, and ordered to a second reading.

Mr. Hundley (by unanimous consent) introduced Senate bill, No. 547, for "An act to prevent railroad accidents and to regulate the management and operation of railroads."

Which was ordered to a first reading, and,

On motion of Mr. Hundley,

The bill was ordered printed, and referred to the committee on railroads.

On motion of Mr. Lee,

The Senate, at 5:20 o'clock P. M., adjourned.

TUESDAY, FEBRUARY 3, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Reid.

The journal of yesterday was being read, when,

On motion of Mr. Glenn,

The further reading of the same was dispensed with.

The President presented the following communication, which was read:

STATE OF ILLINOIS, ATTORNEY-GENERAL'S OFFICE,  
SPRINGFIELD, February 2, 1874.

To the Hon. JOHN EARLY, President of the Senate:

Sir: I had the honor to receive a copy of the resolution of the Senate, adopted on the 28th ult., requesting the Attorney General to examine the title to the property, in the city of Chicago, known as "Lake Front," and to report the result of such investigation to the General Assembly at as early a day as practicable.



In order to comply with the request of the Senate, it is necessary first to ascertain all the material facts relative to the title to this property; and, secondly, the law applicable to such facts.

As to the first branch of the inquiry, such facts rest, as I understand, partly on parol, and do not appear from documentary evidence, subject to my inspection. Until such facts are ascertained in some authentic manner, it would be idle to attempt to give an opinion thereon, or to deduce any legal conclusion therefrom.

The Attorney General does not possess the legal power to administer oaths nor to compel the attendance of witnesses and require them to testify or produce papers or documents in their possession, except in some legal proceeding properly pending in court, and for this reason can not ascertain, with the requisite celerity and authenticity, the necessary facts upon which to base such official opinion as to the law upon this question.

On the contrary, each branch of the General Assembly possesses ample power, either directly or through its appropriate committees, to investigate and ascertain such facts. They may "send for persons and papers," administer oaths, and compel witnesses to testify and produce documents in their possession.

I would therefore respectfully request the honorable Senate, through one of its committees or otherwise, to ascertain the material facts bearing upon the title to this property, and to furnish me with a statement thereof. When this is done, it will afford me great pleasure to comply with the request of the Senate, and investigate the law of the case, and report my conclusion thereon at as early a day as practicable.

I have the honor to be, very respectfully,

JAMES K. EDSALL,  
*Attorney General.*

Mr. Voris presented a petition from the board of supervisors of Shelby county, relating to jurisdiction of county courts; which, on his motion, was referred to the committee on judiciary.

Mr. Upton (by unanimous consent) made the following reports:

Mr. Upton, from the joint committee on revision, to which was referred Senate bill, No. 441, for "An act to revise the law in relation to county clerks," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a third reading.

Mr. Upton, from the joint committee on revision, to which was referred Senate bill, No. 442, for "An act to revise the law in relation to clerks of courts," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a third reading.

Mr. Upton, from the joint committee on revision, to which was referred Senate bill, No. 478, for "An act to revise the law in relation to township insurance companies," reported the same back with amendments, and recommended their adoption and that the bill as amended be passed.

And the bill was ordered on file for a second reading.

Mr. Upton, from the joint committee on revision, to which was referred Senate bill, No. 264, for "An act to authorize telegraph companies owning lines and doing business in this State to borrow money, and give security upon their property," reported the same back and recommended that the bill lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to lay before the Senate the following written communication:

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, February 2, 1874.

*To the Honorable the Senate :*

I have the honor to transmit herewith the Thirty-third Annual Report of the Directors and Principal of the Illinois Institution for the Education of the Deaf and Dumb, for the year ending November 30, 1873.

JOHN L. BEVERIDGE,  
*Governor.*

By the Governor :

PHILO J. BEVERIDGE, *Private Sec'y.*

The President announced the time for the special order, being the consideration of House bill, No. 203, for "An act to provide for fencing railroads, and to secure the safety of persons and property, their prompt transportation, the proper making up of trains, and the management and running of locomotive engines and cars," on second reading by sections.

Mr. Donahue offered the following amendment, which was adopted :

Amend section 14 by striking out the word "five," and insert the word "fifteen," in line 4.

Leave of absence was granted Senators Palmer and Warren.

Mr. Casey offered the following amendment:

Amend section 15 by striking out the word "and," in line 4, and inserting the words "or if in fault."

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Casey, Henry, Sheldon, Wilcox—4.

Those voting in the negative are,

Messrs. Archer, Baldwin, Burke, Castle, Cummings, Cusey, Donahue, Dow, Glenn, Green, Hampton, Hundley, Jacobs, Kehoe, Kelly, Nicholson, Patterson, Reynolds, Shepard, Starne, Strong, Thompson, Voria, Ware, Whiting, Mr. President—26.

A message from the Governor, by Philo J. Beveridge, Private Sec'y :

Mr. President: I am directed by the Governor to lay before the Senate the following written communication :

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, February 3, 1874.

*To the Honorable the Senate :*

I have the honor to transmit herewith a special report of the Board of Trustees of the Illinois Soldiers' Orphans' Home.

JOHN L. BEVERIDGE,  
*Governor.*

OFFICE OF THE  
BOARD OF TRUSTEES ILLINOIS SOLDIERS' ORPHANS' HOME,  
NORMAL, ILLINOIS, January 31, 1874.

*To His Excellency J. L. BEVERIDGE,*  
*Governor of the State of Illinois :*

Sir: The undersigned, members of the Board of Trustees of the Soldiers' Orphans' Home, have learned with profound regret, that in the

Which was read at large a second time, and ordered on file to be considered by sections.

Mr. Cusey (by unanimous consent) called up the following report, which was read, and,

On motion of Mr. Cusey,

The report was ordered printed :

OFFICE OF THE  
BOARD OF TRUSTEES ILLINOIS SOLDIERS' ORPHANS' HOME,  
NORMAL, ILLINOIS, January 31, 1874.

To His Excellency J. L. BEVERIDGE,

*Governor of the State of Illinois :*

Sir : The undersigned, members of the Board of Trustees of the Soldiers' Orphans' Home, have learned with profound regret, that in the late report of Fred. H. Wines, Secretary State Board of Public Charities, he has, in that portion devoted to the affairs of the Soldiers' Orphans' Home, used language which, without explanation from us, would evidently tend to mislead the General Assembly and the public at large in relation to the management of the Home, and disposition of the inmates after having attained a certain age. He says, "there is one point in the management of the Soldiers' Orphans' Home requires notice, we think, namely : The large number of inmates of both sexes, but especially girls, above the legal age at which the law directs their discharge. We believe that if the law is right it should be more rigidly enforced than it now is, and if wrong it should be amended. It is not obeyed."

In reply to the assertion, we have but to refer your Excellency to a full and complete roster of all children at present in the Home over fourteen (14) and under sixteen (16) years of age, verified by affidavit of Mrs. V. C. Ohr, Superintendent, together with all acts and parts of acts pertaining to this subject, and trust that the evidence herewith produced will satisfy the mind of your Excellency that we have not violated the law in its letter or spirit.

We cannot; however, refrain from acknowledging ourselves totally at a loss to comprehend Mr. Wines' misunderstandings in the matter (if such it can be looked upon) in the face of the fact, that he is at present, and has for the past two or three years been intimately acquainted with the management of the Home in its minutest detail.

Section 6 of "An act to establish a Home for the Children of Deceased Soldiers," approved February 16, 1865, definitely states the object of this institution, and reflects the spirit of a grateful and generous people toward these poor orphan children whom the board has bequeathed to our care. "The object of this incorporation is declared to be to provide a home for the nurture and education, without charge, of all indigent children of soldiers who have served in the armies of the Union during the present rebellion, and have been disabled from disease or wounds therein, or have died or been killed in such service ; and in accomplishment of this end, said Trustees may adopt such means as they may deem best suited to attain the same, not inconsistent with the laws of the State then in force."

Section 3 of "An act to amend 'an act to establish a Home for the Children of Deceased Soldiers,'" approved March 5, 1867, distinctly specifies the class of children entitled to the privilege of the Home, and reads as follows : "That there shall be first received into this institution children under the age of five years who are in indigent circumstances, and then, if the means and endowments of the institution justify it, in-

igent orphans above that age, but below the age of ten years, shall be received; and then, if there are sufficient means, all other indigent orphans, but none who are over the age of fourteen (14), at which age all pupils of said institution shall be discharged therefrom."

The last, but not least, in point of christian charity, is the third section of "An act to amend an act entitled 'an act to establish a Home for the Children of Deceased Soldiers,' approved March 5, 1867, and to make appropriations for the said Home," act approved March 1, 1869, and is as follows: "In special cases of peculiar inability of a pupil to support himself or herself, the said Board of Trustees, or its executive committee, may retain such pupil, although above the age of fourteen (14) years, and until said pupil has reached the age of sixteen (16); and the said Trustees, or their executive committee, may discharge, at any time, any child for persistent violation of the rules of said Home, or when, in their judgment, it is necessary for the best interests and good government of the same."

This section of the act is certainly clear and comprehensive, evidently enacted for a pure and holy purpose, and beyond any question of doubt, confers upon the Board of Trustees discretionary power in the matter of retaining certain children in the Home, although above the age of fourteen (14) years. In the exercise of this power, we have to assure your Excellency that our aim has ever been to advance the interests of these helpless children, and by the aid of Him who has promised to be a father to the fatherless, hope to send them forth a blessing to themselves and families, an honor to the noble State that in the hour of adversity provided them with shelter, food and raiment, and finally, to make them bright and precious jewels in the crown of the nation's glory.

We have the honor to remain your Excellency's humble and obedient servants.

JAMES M. BEARDSLEY, *Pres.*

JOHN SWEENEY, *Treas.*

GEO. W. HALLOWAY, *Sec'y.*

OFFICE OF THE  
SUPERINTENDENT OF THE ILLINOIS SOLDIERS' ORPHANS HOME.  
NORMAL, ILLINOIS.

*To the Board of Trustees of the Illinois Soldiers' Orphans' Home:*

GENTLEMEN: I am this day in receipt of the following resolution, adopted by your honorable Board, and in compliance with the same, I herewith transmit a complete roster of all children over fourteen (14) and under sixteen (16) years of age.

After a personal examination of the applications for admission of each one, sworn to by parents and friends before the proper authorities, I do not hesitate to say that they are all in indigent circumstances, and that justice, charity and policy alike, demand their retention in the Institution.

I have the honor to be,

Very respectfully,

VIRGINIA C. OHR,

*Superintendent.*

WHEREAS, in the late report of the State Board of Charities, by Fred. H. Wine, Secretary, it is charged that the managers of the Home are retaining in the Institution, in violation of law, a large number of inmates of both sexes, but especially girls, who have arrived at the age at which the law directs their discharge; and whereas, in a subsequent communication to the honorable Senate of Illinois, and published in the "Springfield Journal," January 27, 1874, purporting to be an answer to a communication of a previous date, by Virginia C. Ohr, Superintendent of the Soldiers' Orphans' Home,

he reiterates the charge that the law has been disobeyed, and makes the unqualified assertion that after a careful examination of the records of the Institution, and a thorough inspection of the children, the fact was revealed that there were about seventy children—or nearly one-fourth of the entire number receiving shelter and food—who are above the age of fourteen (14) years, and consequently not entitled to the benefits of the Home, under the law. Therefore, in order that the Trustees may be more fully informed upon the subject, be it

*Resolved*, That the Superintendent be and is hereby directed to immediately furnish the Board with a full and complete roster of all children over the age of fourteen (14) years, at present inmates of the Soldiers' Orphans' Home, verified by affidavit, together with any other information that may have any bearing upon this subject.

*List of Girls, inmates of the Soldiers' Orphans' Home, over fourteen and under sixteen years of age.*

Name.	When 14 years old.	Where father died.
1. Annie Everhart.	February, 1872.	Goldsboro, N. C.
2. Mollie Potter.	March, "	Danville, Ky.
3. Martha Crary.	June, "	Fayetteville, N. C.
4. Lizzie Cunningham.	" "	Mobile, Ala.
5. Annie Goodspeed.	July, "	Arkansas.
6. Louella Schleigh.	" "	Caledonia, Ill.
7. May King.	August, "	Helena, Ark.
8. Julia Anderson.	" "	Snyder's Bluff, Mo.
9. Lelia Rouse.	October, "	Murfreesboro, Tenn.
10. Lina Spence.	November, "	Springfield, Ill.
11. May Gill.	" "	Vicksburg, Miss.
12. Hattie McCloskey.	" "	St. Louis Hospital
13. Rhoda Lane.	" "	Died from wounds
14. Nettie Williamson.	April, 1873.	Chambersburg, Penn.
15. Julia Morris.	May, "	Memphis, Tenn.
16. Sarah Armpricet.	" "	Texas.
17. Sarah Overstreet.	June, "	St. Louis.
18. Rosa Ogle.	" "	Montgomery, Ala.
19. Ettie Alabrook.	" "	Anna, Ill.
20. Lizzie Oaks.	" "	Vicksburg, Miss.
21. Ethel Ohr.	" "	Springfield, Ill.
22. Pauline Klefne.	July, "	Jefferson City, Mo.
23. Lizzie Oleson.	September, "	Pea Ridge, Ark.
24. Josephine Greene.	October, "	Mt. Pleasant, Ill.
25. Eugenia Adams.	" "	Texas.
26. Melissa Holmes.	" "	Springfield, Ill.
27. Minnie Hendricks.	" "	Glendale, Mo.
28. Kate Noe.	November, "	Chattanooga, Tenn.
29. Emma Burtis.	" "	Unknown.
30. Mary Mills.	" "	Vicksburg, Tenn.
31. Ella Everhart.	" "	Goldsboro, N. C.
32. Ida Martin.	" "	St. Louis, Mo.
33. Kate Poyer.	December, "	Hospital boat.
34. Mary Cummings.	January, 1874.	Macon, Ill.
35. Lizzie Spence.	" "	Springfield, Ill.
36. Jennie Self.	" "	St. Louis, Mo.

*List of Boys.*

Names.	When 14 years old.	Where father died.
1. Henry Barton.	August, 1872.	Chicamanga, Tenn.
2. Philip Mayer.	September, 1873.	Bloomington, Ill.
3. James Garman.	January, 1873.	Nashville, Tenn.
4. William Friesley.	February, "	Port Hudson.
5. John Tharer.	May, "	Unknown.
6. William White.	" "	Young's Point, Miss.
7. James Bagby.	June, "	Corinth, Miss.
8. Albert Schrum.	July, "	Unknown.
9. Thomas Greene.	August, "	" "
10. James McPherron.	December, "	Stone River.
11. Henry King.	January, 1874.	Helena, Ark.
12. Edward Beymer.*	" "	" "

\* Deficient in intellect, and a cripple. About 17 years old.

*List of Girls discharged from the Home by resolution of the Board of Trustees, August 5th, 1873, by reason of expiration of time, as provided by law, and who have been employed as servants in the Institution.*

Mary Burtis.....	Belle Frieby.....
Kate Lane.....	Sarah Armstrong.....
Mary Poyer.....	Millie Howe.....
Lizzie McMahon.....	Cicely Willis.....
Sarah Watts.....	Mary Allbrook.....
Rosa Aldrich.....	Sarah Smith.....

*List of Children whose friends have been notified to remove them from the Home, but have not done so to this date.*

Martha Van Meter.....	Laurella Wade.....
Isaac Van Meter.....	Mary Sawtees.....

*State of Illinois, McLean County—ss.*

I, Virginia C. Ohr, Superintendent Illinois Soldiers' Orphans' Home, being duly sworn according to law, upon oath, testify that the foregoing list of children, inmates of the Soldiers' Orphans' Home, is correct, and that the statements therein made are obtained from the records of the Institution, and from personal inquiry of the children.

Subscribed and sworn to before me this 31st day of January, 1874.

VIRGINIA C. OHR, Superintendent.

E. C. LAWTON, Notary Public.

The President, at 3:30 o'clock P. M. announced the time for the special order, being the consideration of the motion to reconsider the vote whereby rule 68 was adopted.

On motion of Mr. Strong,

The special order was postponed until Friday, February 6, 1874, at 2:30 o'clock P. M.

Mr. McGrath (by unanimous consent) called up House bill, No. 598, for "An act in relation to the collection of wages."

Which was read at large a second time, and ordered on file to be considered by sections.

Mr. Glenn (by unanimous consent) called up Senate bill, No. 537, for "An act to provide for the payment of registered indebtedness of counties, townships, cities and towns."

Which was read at large a second time, and,

On motion of Mr. Glenn,

Referred to the committee on judiciary.

By unanimous consent, bills of the House of Representatives on first reading were ordered taken up.

House bill, No. 720, for "An act concerning jurors, and to repeal certain acts herein named,"

Was taken up and read at large a first time, and ordered to a second reading.

Mr. Brown (by unanimous consent) called up House bill, No. 467, for "An act to authorize the Trustees of the Illinois State Hospital for the Insane, at Jacksonville, to sell and convey one and one-half acres of land to the city of Jacksonville for public water works."

The question being, "Shall the Senate adopt the amendment reported from the committee on state charitable and educational institutions?" it was decided in the affirmative.

The question then being, "Shall the bill be read a third time?" it was decided in the affirmative.

By unanimous consent, House bill, No. 467, for "An act to authorize the Trustees of the Illinois State Hospital for the Insane, at Jacksonville, to sell and convey one and one-half acres of land to the city of Jacksonville, for public water works," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 35, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Casey, Cummings, Cusey, Dow, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Murphy, Nicholson, Palmer, Patterson, Reynolds, Shepard, Starna, Steele, Thompson, Waite, Ware, Whiting, Wilcox, Yager, Mr. President—35.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly engrossed:

Senate bill, No. 110, for "An act for the relief of the prosecuting attorney of the Alton city court."

Mr. Murphy (by unanimous consent) called up House bill, No. 391, for "An act to remove and transfer certain records relating to real estate from the office of the recorder of deeds of Schuyler county, to the office of the Auditor of Public Accounts, and creating a custodian thereof, and providing the manner of obtaining certified copies of said records and defraying the expenses of such removal."

The pending question being, "Shall the bill be read a third time?" it was decided in the affirmative.

Mr. Burke (by unanimous consent) offered the following resolution, which was laid over under the rule:

*Resolved*, That the committee on judiciary be and they are hereby respectfully requested to inquire into the expediency of providing, by law, that writs of attachments may issue in all cases where the debtor has or is about to remove his property from one county in the State to another county in the State.

Mr. Casey (by unanimous consent) called up House bill, No. 716, for "An act providing for trial of rights of property in certain cases before the county court."

Which was read at large a second time, and,

On motion of Mr. Casey,

Referred to the committee on judiciary.

Senate bill, No. 507, for "An act to amend an act entitled 'an act to incorporate and govern fire, marine and inland insurance companies doing business in the State of Illinois,' having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 33, nays 1.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Casey, Crews, Cummings, Cusey, Dow, Ferrell, Glenn, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Starna, Thompson, Ware, Whiting, Wilcox, Yager, Youngblood—33.

Mr. Green voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 110, for "An act for the relief of the prosecuting attorney of the Alton city court," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 31, nays 2.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Cummings, Cusey, Dow, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, Kelly, McGrath, Nicholson, Palmer, Patterson, Sheldon, Shepard, Steele, Thompson, Upton, Waite, Ware, Wilcox, Yager, Youngblood, Mr. President—31.

Messrs. Crews and Reynolds voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Cummings,  
The Senate, at 4:55 o'clock P. M., adjourned.

THURSDAY, FEBRUARY 5, 1874—10 O'clock A. M.

The Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Reed.

The journal of yesterday was being read, when,

On motion of Mr. Cummings,

The further reading of the same was dispensed with.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, to-wit:

House bill, No. 653, for "An act to revise the law in relation to town-ship organization."

In the passage of which I am instructed to ask the concurrence of the Senate.

Mr. Hampton (by unanimous consent) introduced Senate bill, No. 553, for "An act in relation to the officers and members of the General Assembly."

Which was ordered to a first reading, and,

On motion of Mr. Hampton,

The rules were suspended, and the bill was read at large a first time and ordered to a second reading.

Mr. Nicholson (by unanimous consent) called up House bill, No. 359, for "An act to revise the law in regard to estrays," which was on file for consideration by sections.

On motion of Mr. Nicholson,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

The President announced the time for the special order, being the consideration of Senate bill, No. 455, for "An act to revise the law in relation to husband and wife."

On motion of Mr. Waite,

The consideration of the special order was postponed until Tuesday, February 10, 1874, at 10 o'clock A. M.

On motion of Mr. Waite,

The rules were suspended, and Senate bills on third reading were ordered taken up for consideration.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed, to-wit:

Senate bill, No. 238, for "An act to make an appropriation for compensation to military companies for services rendered in the city of Chicago in the month of October, 1871."



Senate bill, No. 457, for "An act to revise the law in relation to jails and jailers."

Senate bill, No. 460, for "An act to revise the law in relation to *ne exeat*."

Senate bill, No. 461, for "An act to revise the law in relation to official bonds."

Senate bill, No. 452, for "An act to revise the law in relation to fugitives from justice," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 32, nays 2.

Those voting in the affirmative are,

Messrs. Baldwin, Brooka, Burke, Canfield, Casey, Castle, Crews, Cummings, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, McGrath, Nicholson, Sanford, Sheldon, Shepard, Waite, Ware, Warren, Whiting, Wilcox, Mr. President—32.

Messrs. Starne and Youngblood voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Donahue (by unanimous consent) introduced Senate bill, No. 554, for "An act to make the schedules prepared and published by the railroad and warehouse commissioners *prima facie* evidence in the several courts of this State."

Which was ordered to a first reading, and,

On motion of Mr. Donahue,

The rules were suspended, and the bill read at large a first time, ordered to a second reading, and referred to the committee on railroads.

Mr. Burke (by unanimous consent) introduced Senate bill, No. 555, for "An act for the benefit and protection of the incurable insane."

Which was ordered to a first reading.

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, to-wit:

House bill, No. 515, for "An act to amend an act entitled 'an act in relation to the penitentiary at Joliet, to be entitled 'an act to provide for the management of the Illinois State Penitentiary at Joliet,' approved January 16, 1871.'"

House bill, No. 721, for "An act in regard to assessors and collectors in certain incorporated cities, and to extend the time for the assessment and collection of the county and State taxes therein, for the year A. D. 1873."

In the passage of which I am instructed to ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has adopted the following resolution, to-wit:

WHEREAS the majority of the people of this State are looking to the General Assembly for relief from the present unjust revenue law; therefore, be it

Resolved by the Senate, the House of Representatives concurring herein, That a committee of five on the part of the House, and three on the part of the Senate, be appointed, the duty of which shall be to report a general revenue bill to the Senate and House as early as practicable.

In the adoption of which I am instructed to ask the concurrence of the Senate.

Senate bill, No. 529, for "An act to amend 'an act concerning circuit courts and to fix the times of holding the same in the several counties of the judicial circuits in the State of Illinois, exclusive of Cook,' approved May 2, 1873," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 34, nays 4.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Canfield, Casey, Castle, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Murphy, Nicholson, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starnes, Steele, Waite, Warren, Wilcox, Mr. President—35.

Those voting in the negative are,

Messrs. Crews, Cummings, Whiting, Youngblood—4.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and having received a vote of two-thirds of the members elected, was declared passed.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 451, for "An act to revise the law in relation to frauds and perjuries," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 40, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Canfield, Casey, Castle, Crews, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Murphy, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starnes, Waite, Ware, Warren, Whiting, Wilcox, Mr. President—40.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Cummings,

The vote whereby the special order, being the consideration of Senate bill, No. 455, for "An act to revise the law in relation to husband and wife," was postponed until Tuesday, February 10, at 10 o'clock A. M., was reconsidered.

And the question being, "Shall the special order be postponed until Tuesday, February 10th, at 10 o'clock A. M.?" it was decided in the negative.

On motion of Mr. Cummings,

The further consideration of the special order was postponed until 2:30 o'clock P. M., to-day.

Mr. Kelly (by unanimous consent) called up House bill, No. 721, for "An act in regard to the assessors and collectors in certain incorporated cities, and to extend the time for the assessment and collection of the county and State taxes therein for the year A. D. 1873."

Which was read at large a first time, and ordered to a second reading, and,

On motion of Mr. Kelly,

Referred to the committee on revenue.

Senate bill, No. 238, for "An act to make an appropriation for compensation to military companies for services rendered in the city of Chicago in the month of October, 1871," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 30, nays 12.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Canfield, Castle, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Hampton, Henry, Jacobs, Kelly, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Upton, Waite, Ware, Warren, Wilcox, Mr. President—30.

Those voting in the negative are,

Messrs. Brown, Burke, Casey, Crews, Cummings, Hinchcliffe, Hundley, Kehoe, Lee, Murphy, Starnes, Youngblood—12.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 461, for "An act to revise the law in relation to official bonds," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 37, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Casey, Crews, Cummings, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, McGrath, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starnes, Steele, Upton, Walte, Ware, Warren, Whiting, Youngblood, Mr. President—37.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No 460, for "An act to revise the law in relation to *ne exeat*," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 38, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Canfield, Casey, Castle, Cummings, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, McGrath, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starnes, Steele, Upton, Walte, Ware, Warren, Whiting, Wilcox, Youngblood, Mr. President—38.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, to-wit:

Senate bill, No. 293, for "An act to revise the law in relation to coroners."

Senate bill, No. 458, for "An act to revise the law in relation to licenses,"

Was taken up and read at large a second time.

And the pending question being, "Will the Senate adopt the amendment reported from the joint committee on revision?" it was decided in the affirmative.

Mr. Patterson offered the following amendment:

Amend section 2, line 5, by striking out the word "or" and insert the words "and be."

On motion of Mr. Sheldon,

Debate was ordered closed on the pending amendment.

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cunningham, Green, Hampton, Henry, Jacobs, Palmer, Patterson, Sanford, Sheldon, Shepard, Strong, Whiting, Wilcox, Mr. President—15.

Those voting in the negative are,

Messrs. Brooks, Brown, Burke, Canfield, Casey, Crews, Cummings, Cusey, Donahue, Glenn, Hinchcliffe, Hundley, Kehoe, Kelly, McGrath, Murphy, Reynolds, Starnes, Steele, Upton, Walte, Ware, Warren, Youngblood—25.

Mr. McGrath offered the following amendment, which was adopted:

Amend section 2 by inserting after the word "resort," in line 4, the words "or any druggist who shall, by himself, servant or clerk, sell or give away any intoxicating liquors, unless upon the written prescription of a regular practicing physician, or unless he has obtained a license so to do."

Mr. Whiting offered the following amendment:

Amend section 2, line 2, by striking out "spirituous" and inserting "intoxicating."

And the question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Canfield, Castle, Cummings, Cunningham, Cusey, Donahue, Glenn, Green, Hampton, Henry, Hundley, Jacobs, Kehoe, McGrath, Palmer, Patterson, Sanford, Sheldon, Shepard, Strong, Ware, Warren, Whiting, Wilcox, Mr. President—26.

Those voting in the negative are,

Messrs. Brooks, Brown, Burke, Casey, Crews, Hinchcliffe, Lee, Murphy, Reynolds, Starne, Walte, Youngblood—12.

Pending the consideration of the bill,

On motion of Mr. Glenn,

The Senate, at 12:15 o'clock P. M., adjourned to 2:30 o'clock P. M.

#### TWO-THIRTY O'CLOCK P. M.

Senate met, pursuant to adjournment.

Mr. Cusey entered a motion to reconsider the vote whereby the amendment, offered by Mr. Patterson, to Senate bill, No. 458, for "An act to revise the law in relation to licenses," was lost.

The President announced the time for the special order, being the consideration of Senate bill, No. 455, for "An act to revise the law in relation to husband and wife."

Mr. Canfield offered the following amendments, which were lost:

Amend by striking out sections 1 to 11, inclusive (after the enacting clause), and inserting the following:

"That hereafter husband and wife shall be deemed one person in law, and their respective rights and duties shall be as at common law, except so far as the same may be modified by the statutes of this State in force on and after July 1, 1874; and no suit at law between husband and wife shall hereafter be maintained in this State.

"§ 2. When any husband shall willfully desert and abandon his wife, or shall fail to furnish his family with a reasonable support, or shall be idiotic, insane, or confined in the penitentiary, or shall waste and grossly mismanage her property, or the property he may have received from her, or on account of their marriage, or shall cause her to live separate and apart from him by criminal conduct or ill usage, the circuit court of the proper county may, on her petition—notice of the pendency of which shall be given as in cases for divorce—authorize her to manage, encumber, sell and dispose of her real estate, and any interest of her husband therein, acquired by him under and by virtue of their marriage; and also, any personal estate which shall at the time have come to the husband, by reason of the marriage, and shall be undischarged of by him, and any real or personal property that may be the sole and separate property of such wife; and also, to collect and receive any money or other personal estate to which she may be entitled, or to which the husband is entitled in her right, and to give a discharge for the same; and in all such cases, so long as they exist, she shall be enti-

tled to the proceeds of her own earnings, and to the earnings of her minor children, and she shall be deemed a *feme sole* so far as to enable her to carry on and transact business on her own account, in all respects.

"§ 3. The rents, issues, products and profits of the real estate of any married woman, and all money and obligations arising from the sale of such real estate, and the interest of her husband in her right in any real estate which belouged to her before marriage, or which she may have acquired by gift, grant, devise or inheritance, during coverture, shall be exempt from attachment or execution for the sole debts of her husband; and no conveyance made during coverture, by such husband, of such rents, issues and products, or of any interest in such real estate, shall be valid, unless the same be by deed executed by the wife jointly with her husband, and acknowledged by her in the manner provided by law in the case of the conveyance by husband and wife of the real estate of the wife: *Provided, however*, such annual products shall be liable to the satisfaction of any debt or liability of her husband created for the necessities for the wife and family of such husband, and for debts for labor or materials furnished upon or for the cultivation or improvement of such real estate, subsequent to the taking effect of this act.

"§ 4. No earnings of any married woman, or the products or profits thereof, or the avails or net amount of any insurance upon any of the property mentioned in the preceding section, or upon the life of the husband to the use or for the benefit of such wife, shall be liable for the sole debts of the husband."

Amend by striking out sections 15, 16, and 17.

On motion of Mr. Starne,

The vote whereby the amendments were lost was reconsidered.

The question being, "Shall the amendments be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Brooks, Brown, Burke, Canfield, Casey, Donahue, Glenn, Green, Kehoe, Kelly, Murphy, Patterson, Sanford, Shepard, Warren—16.

Those voting in the negative are,

Messrs. Baldwin, Castle, Crews, Cummings, Cunningham, Cusey, Dow, Ferrell, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, McGrath, Palmer, Reynolds, Sheldon, Starne, Steele, Strong, Thompson, Upton, Voria, Waite, Ware, Whiting, Wilcox, Youngblood, Mr. President—29.

Mr. Dow offered the following amendment, which was lost:

Amend section 1 by adding thereto the following: "*Provided*, no woman shall be arrested or imprisoned upon any civil process."

Mr. Crews, at 4:40 o'clock P. M., moved to adjourn; which motion was decided in the negative.

Mr. Waite offered the following amendment, which was lost:

Strike out section 12.

Mr. Ware offered the following amendment, which was lost:

Amend section 18 by inserting after the word "insane," in line 1, the words "and shall have been insane continuously for a period of not less than two years."

Mr. Sheldon offered the following amendment, which was lost:

Amend by striking out section 11.

Mr. Casey offered the following amendment, which was lost:

Amend section 21 by adding the following: "And the petitioner shall retain one-half of the purchase money arising from the sale of such property, for the benefit of such insane person."

Mr. Thompson offered the following amendment:

Amend section 21 by adding, "or the court may, in its discretion, order such portion of the money received from the sale of such property as the court shall deem just and equitable, to be set apart in such manner as the court shall direct, for the use and benefit of such insane person; and such sum so set apart shall be and remain subject to the control and order of the court."

Mr. Casey offered the following amendment to the amendment, which was lost:

Strike out the word "or" and insert "and." Also, strike out "may" and insert "shall."

The question then being, "Shall the amendment be adopted?" it was decided in the affirmative.

Mr. Sanford offered the following amendment, which was adopted:

Amend section 21, in line 2, by striking out the word "or" and inserting the word "and."

The question then being, "Shall the bill be engrossed and printed for a third reading?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Crews, Cummings, Cunningham, Ferrell, Hampton, Henry, Hinchcliffe, Palmer, Steele, Upton, Whiting, Wilcox—14.

Those voting in the negative are,

Messrs. Archer, Brooks, Brown, Burke, Canfield, Casey, Cusey, Donahue, Dow, Glenn, Green, Hundley, Jacobs, Kehoe, Kelly, McGrath, Patterson, Reynolds, Sanford, Shepard, Sterne, Voris, Ware, Warren—24.

On motion of Mr. Cummings,

The pending special orders were continued until to-morrow morning, and made the special order for 10 o'clock.

On motion of Mr. Ferrell,

The Senate, at 5:35 o'clock P. M., adjourned.

FRIDAY, FEBRUARY 6, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by the Rev. Mr. Reed.

The journal of yesterday was being read, when,

On motion of Mr. Jacobs,

The further reading of the same was dispensed with.

On motion of Mr. Reynolds,

The vote whereby the Senate refused to order Senate bill, No. 455, for "An act to revise the law in relation to husband and wife," to be engrossed and printed for a third reading, was reconsidered.

Mr. Canfield moved to refer the bill to the committee on judiciary.

On motion of Mr. Nicholson,

Debate was ordered closed on the pending motion.

The question being, "Shall the bill be referred?" it was decided in the negative.

Mr. Casey offered the following amendment, which was lost:

Amend by striking out sections 18, 19, 20 and 21.

Mr. Canfield offered the following amendment, which was adopted:

Amend section 15 by inserting in line 2, after the word "benefit," the words "or otherwise."

Mr. Canfield offered the following amendment, which was adopted:

Amend section 13, by striking out the word "may," in line 7, and inserting the word "shall."

Mr. Canfield offered the following amendment, which was lost:

Amend section 17, by inserting in line 2, after the word "other," the words "unless such husband or wife shall, in good faith, provide another homestead."

On motion of Mr. Steele,

The vote whereby the following amendment, offered by Mr. Sheldon, was lost, was reconsidered:

Amend by striking out section 11.

Mr. Burke offered the following amendment, which was lost:

Amend section 11 by adding the following: "*Provided*, that no such transfer, conveyance or lien shall be held as good and valid as against creditors."

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has adopted the following resolution, to-wit:

*Resolved by the House of Representatives, the Senate concurring herein, That the joint committee on state institutions be and are hereby authorized to employ a clerk.*

In the adoption of which I am instructed to ask the concurrence of the Senate.

The question being, "Shall the amendment offered by Mr. Sheldon on yesterday be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Brown, Burke, Casey, Crews, Glenn, Jacobs, Kehoe, Sheldon, Shepard, Warr, Warren, Whiting—14.

Those voting in the negative are,

Messrs. Baldwin, Castle, Cummings, Cunningham, Cusey, Dow, Ferrell, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, McGrath, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sarno, Strong, Thompson, Voria, Waite, Wilcox, Youngblood, Mr. President—23.

Mr. Thompson, (by unanimous consent) from special committee appointed to investigate the affairs of the State Institution for the Education of the Deaf and Dumb, located at Jacksonville, Illinois, made the following report:

SPRINGFIELD, February 6, 1874.

*To the Honorable the Senate of the Twenty-eighth General Assembly:*

The special committee appointed by the President of the Senate, in pursuance of the following resolution adopted by the Senate on the 17th day of January, 1874, to-wit:

*"Resolved, That a special committee of three from the committee on state charitable institutions be appointed by the President of the Senate, to investigate the proceedings of the Trustees of the State Institution for the Deaf and Dumb, at Jacksonville, and to report what, if any, irregularities have occurred in such proceedings."*

Have the honor to submit the following report:

In compliance with the foregoing resolution, your committee visited the Institution for the Education of the Deaf and Dumb, at Jacksonville, and met the following named members of the Board of Directors

of said Institution: Robert Boal, M. D., President of the Board; Philip G. Gillett, LL.D., Secretary of the Board, and Hon. William P. Barr.

Your committee are of opinion that the general management of the pupils, the discipline of the Institution, and the results attained, are deserving of the highest commendation.

In regard to the special matters of inquiry more particularly comprehended in the resolution, your committee find: By the act approved May 3, 1873, "the sum of sixty thousand dollars (\$60,000), or so much thereof as may be necessary," was appropriated for the erection of a "chapel, dining-room and school buildings;" seventeen thousand dollars (\$17,000) "for warming and lighting the said buildings, and the erection of a boiler-house; and two thousand five hundred dollars (\$2,500) for the erection and fitting up of a laundry;" which said amounts it is provided in said act, "shall be in full for the completion of said buildings and improvements."

The following are the contracts made by the Board of Directors, for the buildings to be erected and completed under the \$60,000 appropriation:

#### FOR DINING ROOM.

Contract with Carson & Platt, dated July 30, 1873, for brick and stone work, to be completed February 1, 1874:

Total amount of contract.....	\$20,500
By a supplemental contract, the following deductions were agreed upon, for omitting the third story of the building:	
Brick.....	\$2,400
Plastering.....	700
Quoins.....	1,600
Tuck pointing.....	872
Stone belt course.....	772
	<u>6,344</u>

Contract, less deduction.....\$14,156

Contract with Coleman & Sharp, same date, for carpenter work, painting and glazing, to be completed February 1, 1874:

Total amount of contract.....	\$18,884
By supplemental contract, providing for omitting the third story, etc., of the building, the following deductions were agreed upon:	
Omission of third story.....	\$3,100
"    truss.....	150
"    creatings.....	150
	<u>\$3,400</u>

Contract, less deduction.....15,484

Total contract for dining room, less deductions.....\$39,640

#### CHAPEL AND SCHOOL BUILDINGS.

Contract with M. B. Bushnell & Co., for building complete, dated September 10, 1873, to be finished July 1, 1874:

Total amount of contract.....	\$48,908
By a supplemental contract, it was agreed that the work should be stopped when the building was inclosed, and for this change in the contract, a deduction was made of ...	10,400
Making the contract for the building, simply inclosed.....	<u>38,500</u>

Amount of contracts let for buildings to be erected under appropriation of \$60,000.....\$68,140

#### RECAPITULATION OF CONTRACTS.

Dining room, amount, less deductions.....	\$39,640 00
Chapel and school rooms—amount for the building, inclosed (unfinished).....	38,500 00
Total contracts.....	\$68,140 00
Amount which will be required to complete the chapel and school rooms (estimated).....	9,860 00
Amount already paid out on same buildings, not included in the contracts.....	<u>2,000 48</u>
Amount of contracts and cost to complete, provided no further extras are made.....	\$80,000 48
Amount of appropriation for said building, to "be in full for the completion" thereof.....	60,000 00
Excess of cost over appropriation.....	<u>\$20,000 48</u>

In arriving at the amount estimated to complete the chapel, the committee have given the directors the benefit of a reduction from the amount deducted from the contract of Bushnell & Co., \$10,400, on the



ground that the finishing can be done for a less amount than Bushnell & Co.'s bid.

In the report of the directors, filed with the Governor [See printed copy, page 18], they say in regard to these contracts: "The aggregate amount of these contracts somewhat exceed the sum appropriated for the erection of the buildings, but the Board hope to meet all liabilities incurred on them without further aid from the State." In explanation of this, the directors informed your committee that the manner in which this is to be accomplished, is to complete the buildings at as low a cost as possible; to that end, availing themselves of the services of such pupils as can be employed on the finishing work with benefit to the pupils, and by transferring to the fund for these buildings the surplus arising from the cabinet shop and other industrial departments, and the balances remaining to the various *special appropriation funds*.

The directors claim that the buildings contracted for, though somewhat in excess of the appropriation, "are not in size or style in excess of the requirements of the act providing for their erection."

The buildings contracted for, as reported to your committee, are as follows:

*First*—A building one hundred feet in length by sixty-seven in width—two stories and basement—the first floor of which is used for a dining-room, and the second divided into *twelve* rooms to be used as hospital. *This building is the dining-room mentioned in the appropriation.*

*Second*—A building one hundred and sixteen feet in length, by eighty feet in width—three stories and basement—the first floor divided into eight school-rooms, second floor divided into eight school-rooms, third floor divided into four school-rooms and a chapel, the chapel occupying the centre of the building and running up half a story above the wings of the building.

Unless directors of a public institution are compelled to limit themselves within the amount appropriated, when the act making the appropriation expressly provides that such amount "shall be in full for the completion" of the improvement (as in this case), then it is useless for the General Assembly to fix any limit to the amounts to be appropriated; and the case resolves itself to the question, shall the Legislature or the Board of Directors determine the amounts of money to be drawn from the State treasury for charitable purposes?

By the provisions of the act of the General Assembly, approved May 3, 1873, making the appropriations above mentioned, the \$60,000 became payable out of any money in the State treasury not otherwise appropriated. But by the express terms of that act, the appropriation of the \$17,000 "for warming and lighting the said buildings and the erection of a boiler house," and the \$2,500 "for the erection and fitting up of a laundry," were made payable out of the levy of 1873, which levy is not yet payable. The directors were fully aware of the foregoing provisions, as appears from their report, in which, after reciting the terms of the act making the appropriations, they say: "*The last two sums are payable out of the levy of 1873.*" (See printed report, p. 13.) Notwithstanding the provisions of the law to the contrary, the directors have erected the boiler house, set up the boilers, heating and lighting apparatus and the laundry, for which they have already issued vouchers or orders, to the amount of \$16,891 38. These vouchers are drawn in the same manner as those for the erection of the buildings provided for by the appropriation of the \$60,000—some of them stating "for boiler house," and others

simply for "brick," without any mention of boiler house. The following is the form :

\$.....

No.....

ILLINOIS INSTITUTION FOR THE EDUCATION OF THE DEAF AND DUMB,  
JACKSONVILLE, ILLINOIS, ....., 1873.

HON. C. E. LIPPINCOTT, Auditor of Public Accounts :

SIN: Pay to the order of ....., the sum of ..... dollars, the same being due them for ....., in pursuance of an act entitled "An act for the erection of a chapel, dining room and school buildings for the Illinois Institution for the Deaf and Dumb," approved May 3d, 1873.

[L. s.] By order of the Board of Directors of the Illinois Institution for the Education of the Deaf and Dumb.

(Signed)

ROBERT BOAL, Principal.

(Signed) PHILIP G. GILLET, Secretary.

Approved ....., 1873.

..... Governor.

On these vouchers there has already been drawn from the State treasury, for labor and material furnished on the boiler house and laundry, the sum of \$15,727 41, without authority of law.

In regard to this transaction, the directors say in their report, (see printed copy, p. 13): "The last two sums are payable out of the levy of 1873, but as the buildings could not be used without light and heat, the Board was compelled to negotiate with *private parties*, to secure the necessary apparatus for that purpose, and such arrangement was effected without entailing any expense upon the institution or the State."

In this report, made by the directors under the law compelling them to report all expenditures, they have made no mention of any of the vouchers issued for material or labor furnished on the boiler house, heating and lighting apparatus or laundry; and the report, in giving the account of the "Building Fund," (see page 36) shows that the \$60,000 appropriation had a balance on hand November 30, 1873, of \$36,999 52, while, in fact, as shown by the Auditor's books, the balance on hand at that date, November 30, was \$25,785 11, and that was prior to the payments of the vouchers settled in December, which largely reduced that balance.

The directors, in explanation of the failure to report the vouchers drawn, properly belonging to the levy of 1873, say they were not aware that any money had been drawn from the State treasury on these warrants or vouchers; that Messrs. M. P. Ayers & Co., of Jacksonville, (bankers) had agreed to advance the money required to complete the boiler house, heating and lighting apparatus, and carry the same until the appropriation out of the levy of 1873 should become payable from the State, and submitted, in confirmation of their statement, a letter from said Messrs. M. P. Ayers & Co., a copy of which is hereto attached, marked "Exhibit A."

By the act of the General Assembly, approved February 3, 1849, an act which made appropriations to meet deficiencies then existing, it is provided that the directors of this institution are expressly prohibited from borrowing money under any pretext whatever.

On the first day of July, 1873, the directors drew out of the State treasury the entire amount of the special appropriations provided for by the act approved April 29, 1873, and deposited the same with the treasurer of the institution, A. E. Ayers, Esq., of Jacksonville, as follows :

Annual repairs .....	\$2,000
Renewal of floors .....	800
Repainting woodwork .....	1,400
Renewal of bedding .....	3,700
Renewal of roof .....	3,850
Total .....	\$11,750

No vouchers have ever been filed, but the money was drawn on an order of the board, and at that time no expenditures had been made on any of these appropriations.

This practice of drawing from the State treasury, and depositing with the treasurer of the institution the entire amount of special appropriation, at the earliest moment the same can be had, prior to any expenditures on account thereof, when in fact the full amount may not be required to accomplish the object for which the appropriation has been made, while it may not be contrary to law, does, in the opinion of your committee, require the attention of the General Assembly.

In its least objectionable feature, it is depositing money with the treasurer of the institution, and withdrawing the same from the State treasury, which may not be required for the object of the appropriation, and leaving the unexpended balance in the hands of the institution, when it should be in the State treasury, and this for an indefinite period. While, in fact, it cannot be denied that these surplus funds are never returned to the State treasury, but after a time are either absorbed by repairs on the buildings or transferred to some other fund to patch over a deficiency, as in the present instance proposed by the directors in regard to the buildings now under contract, it offers an inducement to directors to exceed appropriations, when they know there is at their command a surplus from some other fund.

The transferring of money from one appropriation fund to another by the board of directors, is a practice of long standing in the management of the institution, as will appear from the following statement:

In the 9th biennial report \$600 was transferred from the "Repair fund" to "Barn fund."

In the 10th biennial report all balances of special funds remaining on hand December 1st, 1862, are transferred to the "Ordinary Expense" fund.

In the 11th biennial report, no separate accounts kept of special funds; all were merged in "Ordinary Expense" fund.

In the 12th biennial report the "Repair" and "Insurance" funds are merged into the "Ordinary Expense" fund.

In the 31st annual report funds were transferred from the "Ordinary Expense fund" to "Smokehouse fund."

While these transfers have not been for large amounts, still the practice is the same, and the amount of balances remaining on deposit with the treasurer of the special appropriations of the act approved April 29, 1873, which it is proposed shall be transferred to help meet the deficiency on the present contracts, amounts to \$2,199 78. The constitution prohibits even the Legislature acting by separate or joint resolution from diverting money "from any appropriation made for any purpose." (Art. 4, § 17.)

Exceeding appropriations, and contracting for improvements not authorized by law, but which are deemed necessary by the board of directors, is not confined to the present instance. The reports of this institution show that in several cases they have exceeded the amounts appropriated by the General Assembly. For instance, in 1857, an appropriation was made for heating apparatus of \$9,000. The amount expended by the board on this account, as stated in the 7th biennial report (page 8) was \$18,248 23.

During the years 1857-8, the rear building, now standing, was erected without authority, and without any appropriation having been made for that purpose, at a cost of about \$13,000.

The total amount of the deficiency appropriation in 1859, was \$28,958 12.

In 1865, as appears by the 11th biennial report, page 7, without any appropriation therefor, extensive repairs were made in the heating apparatus, at a cost of over \$13,000.

In 1870, the present directors erected water works at a cost exceeding the amount which they were authorized by the act of April 19, 1869, to expend for that purpose; and in the 30th annual report (1870, page 13,) these directors say that the construction of these works "will, in the course of a few weeks, impose a debt on the institution, to pay which application is made for an appropriation of \$7,859."

There have been deficiencies in the ordinary expense fund which are not included in this statement.

The General Assembly, by an act approved . . . . ., 1871, appropriated for repairs and improvements the sum of \$1,000 per annum for two years. By the reports of the directors for 1871 and 1872, it appears that they expended for repairs and charged to this appropriation the sum of . . . . . \$2,598 19

And in addition expended for repairs and improvements from the ordinary expense fund, the sum of . . . . . 16,822 84

Making an expenditure of the sum of . . . . . \$19,421 03

For purposes which the act provided only . . . . . 2,000 00

Making an excess over appropriation . . . . . \$17,421 03

Under the act approved April 29, 1873, there was appropriated for "repairs" the sum of \$2,000 per annum. The amount expended and charged to this fund for the year 1873 (see report, p. 34,) was \$1,695 55, And in addition, the directors expended for "improvements

and repairs," out of the "ordinary expense fund" . . . . . 6,861 14

And for kitchen range and fixtures charged to same fund,

"ordinary expenses," under household expenses . . . . . 1,933 40

Making an expenditure of the sum of . . . . . \$10,490 09

For purposes on account of which the General Assembly had

appropriated . . . . . 2,000 00

Excess over appropriation . . . . . \$8,490 09

And yet the accounts are so kept, and the report so made, as to show a balance of the \$2,000 appropriation on hand (see page 34 of report) of \$304 45.

The practice of diverting funds from the object for which they are appropriated, and of drawing upon the ordinary expense fund for making improvements and extensive repairs, furnishes an inducement to the Board of Directors to obtain appropriations for the ordinary expense fund beyond the actual amount required, with a view of having a surplus at their command to be used for such purposes as they may deem desirable, and to meet the deficiencies of other funds caused by the Board exceeding their authority in contracting for buildings to cost more than the limit fixed by law.

Take, for example, the ordinary expense account of this institution for the years 1871 and 1872.

The total expenditures from that fund, as shown by the reports, amount to the sum of \$134,463 30, and is composed of the following items:

For household expenses .....	\$97,737 80
" salaries .....	40,441 98
" wages .....	9,574 67
" fuel and lights .....	8,493 16
" clothing .....	4,592 18
" stock and stable .....	3,195 34
" insurance .....	468 75
" improvements and repairs .....	16,822 84
" furniture .....	6,041 36
" miscellaneous .....	17,105 92
<b>Total .....</b>	<b>\$134,463 30</b>

In the above item reported as "miscellaneous," there is included the following expenditures which properly belong to the "repair fund," for which a special appropriation was made, and to which the following should be charged, viz :

For material and labor on reservoir .....	\$1,021 14
" brick, brick laying and plastering .....	1,244 94
" brick, brick work and labor on sewer .....	793 47
" labor and hauling .....	586 55

\$3,645 10

Also the item of "improvements and repairs," which properly belongs to said "repair fund" .....

Also the item of "furniture," which does not properly belong to "ordinary expense" .....

Also, there is included in the item reported as "miscellaneous," the following :

Stock and material for printing office .....	\$2,618 34
" " " for shoe shop .....	988 37
" " " for cabinet shop .....	1,738 13—

5,344 84

Making a total of .....

\$31,854 14

So that a proper statement of the accounts reported as ordinary expenses, would be as follows :

"Ordinary expenses," including household expenses, salaries, wages, fuel and lights, clothing, stock and stable, miscellaneous and insurance .....	\$102,609 16
"Improvements and repairs," .....	90,467 94
"Furniture," .....	6,041 36
"Stock and material to industrial department," .....	5,344 84

\$134,463 30

From the above it will be seen that while \$134,463 30 is charged to the "ordinary expense fund," strictly speaking only \$102,609 16 is properly chargeable to that fund ; and that while the General Assembly makes a special appropriation for "repairs," it furnishes no guide whatever to the Board, and gives no just idea of the expenditures for this purpose.

Again, for the fiscal year of the institution ending November 30th, 1873, the disbursements charged to the ordinary expense fund, as shown by the report of the directors, are as follows :

Household expenses .....	\$15,737 30
Furniture .....	1,012 81
Salaries .....	21,137 62
Wages .....	4,919 54
Fuel and lights .....	5,526 49
Clothing .....	2,737 99
Stock and stable .....	1,465 04
Improvements and repairs .....	6,861 14
Miscellaneous .....	6,185 36

Total charged to ordinary expense fund .....

\$65,493 25

The following items in the above are properly chargeable to the repair fund, for which an appropriation has been made by the acts making appropriations for said institution, to-wit :

Kitchen range and fixtures charged to household expense .....	\$1,933 40
Improvements and repairs .....	6,861 14—

8,794 54

Leaving the ordinary expenses .....

\$56,698 71

The number of pupils attending the institution at the last term, ending June 11th, 1873, were two hundred and ninety-six (296), and the ordinary expense per annum for that number of pupils was, as estimated from the reports, say \$55,000.

The number of pupils attending at the present term is 310, and the annual appropriation for ordinary expense is \$70,000 per annum.

The expenditures of the institution, charged to the ordinary expense fund, for the four quarters ending November 30th, 1873, including improvements and repairs, improperly charged to said fund, were as follows:

First quarter, from December 1st, 1872, to February 28th, 1873, were.....	\$18,317 87
Second " " " March 1st, 1873, to May 31st, 1873, were.....	17,551 56
Third " " " June 1st, 1873, to August 31st, 1873, were.....	11,989 37
Fourth " " " September 1st, 1873, to November 30th, 1873, were.....	17,597 42
Total.....	\$65,456 12

The term ended June 11th, 1873, and the next term was not commenced until December 31st, 1873, or one month after the end of the fourth quarter. The Directors explain this long vacation, as being necessary from the building going on on the premises, and the danger, especially to deaf persons, which such work would cause, and that it was a precaution suggested by the desire to act for the best interests of the pupils; and that the cause of the quarterly expenses not being reduced during such vacation, was the fact that the refurnishing of the kitchen, and making certain repairs during the vacation, and the further fact that the teachers were employed by the year, and their salaries continued through said vacation; that it is difficult to obtain capable teachers, and that therefore this method of employing teachers became necessary.

The practice of the Board is not to file vouchers for expenditures of money received from any source other than the State.

In the method of reports adopted, no dates are given, and, instead of being an itemized statement, it is merely a summary, from which it is not possible to ascertain the quarterly or monthly expenses, and, in many instances, impossible to tell whether accounts are properly classified.

The method of drawing money from the State treasury on special appropriations—as for building purposes—is by simply issuing a certificate to the contractor, by order of the Board, that a certain amount is due him under a certain act, etc., for material or work furnished. No estimate of material or work furnished accompanies such certificate, and it is rather in the nature of an order to pay than a voucher.

From these certificates, called vouchers, filed in the Auditor's office, it cannot be ascertained what appropriation they are drawn against, and there is no receipt or voucher accompanying them to explain to what appropriation they properly belong. There are no vouchers filed in the Auditor's office for any expenditures made by the Board, excepting those charged to the ordinary expense account. The special appropriations under the act of April 29, 1873, were drawn from the State Treasury by orders of the Board of Trustees on the Auditor of Public Accounts, payable to the order of A. E. Ayers, Esq., as treasurer of the Institution; and the vouchers for the expenditure of these appropriations are held by the Board of Trustees. By this system, it will be seen that there is no check upon the Board, as they retain the evidences of their own transactions in this behalf and these evidences are the only means of determining whether payments have been made from the proper appropriations.

Under the present organization of the Institution, the Board of Directors consists of four members, the Superintendent of the Institution being, *ex officio*, the fourth member of the Board; and since one of the chief duties of this Board of Directors is to supervise the Superintendent's management of the Institution, pass upon his actions and pre-

scribe his duties, it is fair to presume that the action of the Board would be largely influenced, if not prejudiced, by his active presence in the Board, sitting as judge upon his own transactions.

Your committee are of the opinion :

1st. That the Board of Trustees of the Institution for the Education of the Deaf and Dumb have, without authority of law, entered into contracts, involving an expenditure of money in excess of the appropriation made by the General Assembly.

2d. That said Board have, improperly, diverted funds from the objects for which they were appropriated; and,

3d. That the Board of Trustees, contrary to the express provision of law, created an indebtedness by entering into an arrangement with M. P. Ayers & Co. for a loan of money to said Institution.

In conclusion, your committee would recommend the passage of an act reorganizing the Board of Trustees, so that the Superintendent shall not be a member thereof, and providing that itemized accounts shall be kept of all receipts and expenditures, in which shall appear the date of each transaction, the party from whom and to whom money is received and paid, and for what purpose; and, further, for the filing of vouchers for all expenditures with the Auditor of Public Accounts, and for an annual report to be filed with the Governor of the State, containing a full and correct copy of all such accounts; and, further, providing for the return to the State treasury of all unexpended balances now on hand, to the credit of special appropriation funds, where the object of such appropriations have been accomplished; and prohibiting the withdrawal from the State treasury of any money already appropriated, or that may hereafter be appropriated for the use of said Institution, in advance of material furnished or labor performed on account of any such appropriation, excepting, only, the annual appropriation for current ordinary expenses, to be drawn as now provided by law.

All of which is respectfully submitted.

RICHARD S. THOMPSON, *Chairman.*

E. A. WILCOX,

JOHN HINCHCLIFFE.

EXHIBIT "A."—(Copy.)

JACKSONVILLE, ILL., Jan. 20, 1874.

DR. ROBERT BOAL,

*President Board of Trustees Inst. for Deaf and Dumb, Jacksonville, Ill.*

DEAR SIR: The firm of M. P. Ayers & Co. last summer agreed with your Board to advance and carry for you the amount needed on account of appropriation for boiler house until same was due or could be collected from the State Treasurer. One of our firm, in conversation with Mr. Saunders, Assistant State Treasurer, was informed by him that in the then existing state of finances, he was willing and desirous to pay out all funds that he could consistently do. On inquiry, we learned that of the amount to be paid to your Institution, viz: \$60,000, only some \$25,000 would be used during the year A. D. 1873. Finding that there was no longer a necessity to carry said order on boiler house, without consultation with your Board, or any member of it, we forwarded them to Springfield, where they were paid by the State Treasurer.

Yours, respectfully,

M. P. AYERS & CO.

On motion of Mr. Waite,

Six hundred copies of the report were ordered printed.

The Senate then resumed the consideration of the pending bill, (Senate bill, No. 455.)

Mr. Waite offered the following amendment:

Amend section 1 by adding at the end of the section the following words, "except by imprisonment."

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Canfield, Castle, Crews, Cummings, Cunningham, Dow, Gundlach, Henry, Hundley, Jacobs, Nicholson, Patterson, Sanford, Shepard, Waite, Warren, Whiting—17.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brown, Burke, Casey, Cusey, Ferrell, Glenn, Green, Hampton, Hinchcliffe, Kehoe, Kelly, McGrath, Murphy, Palmer, Reynolds, Sheldon, Starnes, Strong, Thompson, Ware, Youngblood—23.

Mr. Ware offered the following amendment, which was adopted :

Amend section 18 by inserting after the word "insane," in the first line, the words "and shall have been insane continuously for a period of not less than one year."

Mr. Dow offered the following amendment:

Amend section 6 by inserting after the word "wife," in the first line, the following: "in respect to her private property or business."

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote :

Those voting in the affirmative are,

Messrs. Brown, Canfield, Casey, Castle, Dow, Glenn, Jacobs, Kehoe, Murphy, Reynolds, Shepard, Strong, Ware, Warren—14.

Those voting in the negative are,

Messrs. Archer, Baldwin, Burke, Crews, Cummings, Cusey, Donahue, Ferrell, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Kelly, Nicholson, Palmer, Sheldon, Starnes, Steele, Whiting, Wilcox, Youngblood—23.

Mr. Crews offered the following amendment, which was lost :

Amend section 6 by adding thereto, "except in all cases where she shall be sued as the surety on contracts of her husband."

Mr. Canfield offered the following amendment, which was lost :

"§ 6. Contracts may be made by a wife with respect to her sole and separate property, and the same may be enforced against her to the same extent and in the same manner as if she were unmarried; but, unless by consent of her husband, she may not enter into or carry on any copartnership, or carry on any business, trade or employment, except where the husband is idiotic, insane, incapable of supporting his family, or imprisoned in the county jail or penitentiary, or has abandoned or deserted his family, or fails to furnish them with a reasonable support, or shall cause, or has caused her to live separate and apart from him by criminal conduct or ill usage; in all of which cases, so long as the same may exist, and in all cases by consent of her husband, she may receive, use and possess her own earnings, and sue for the same, or with respect to her said business, trade or employment, free from the interference of her husband or his creditors, as though she were sole and unmarried, and be sued with respect thereto."

Mr. Jacobs offered the following amendment, which was adopted :

Amend section 19 by inserting in 2d line, after the word "court," where it first occurs in said section, these words: "Notice of the filing of such petition shall be given to such insane person as is required to be given to defendants in chancery, by service of summons or by publication."

On motion of Mr. Cummings,

The previous question was ordered.

And the question being, "Shall the bill be engrossed and printed for a third reading?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Burke, Castle, Crews, Cummings, Cusey, Dow, Ferrell, Hampton, Henry, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Starnes, Steele, Strong, Thompson, Upton, Waite, Whiting, Wilcox, Youngblood, Mr. President—36.



Those voting in the negative are,

Messrs. Canfield, Casey, Donahue, Glenn, Green, Hundley, Jacobs, Kehoe, Kelly, McGrath, Murphy, Ware, Warren—13.

The President announced the time for the special order, being the consideration of Senate bill, No. 450, for "An act to revise the law in relation to dower."

Mr. Glenn moved to postpone the further consideration of the special order until 2:30 o'clock P. M. to-day; which motion was decided in the negative.

The pending question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

The President announced the time for the special order, being the consideration of Senate bill, No. 447, for "An act to revise the law in relation to county courts."

Mr. Steele moved to postpone the further consideration of the special order until Tuesday, February 10, 1874, at 2:30 o'clock A. M.; which motion was decided in the negative.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of bills of the following titles, to-wit:

Senate bill, No. 141, for "An act to amend section 132 of an act entitled 'an act in regard to elections and to provide for filling vacancies in elective offices,' approved April 3, 1872."

Senate bill, No. 168, for "An act to encourage the planting and growing of timber."

Mr. Sanford offered the following amendment:

"§ 6. The county courts shall have concurrent jurisdiction with circuit courts in their respective counties in suits at law, except cases involving title to lands, including attachments, when the amount or value of the property in controversy does not exceed \$600, in proceedings concerning bastards, in misdemeanors and crimes where the punishment is by fine and imprisonment, or either, other than imprisonment in the penitentiary, (providing this act shall not be construed as affecting the jurisdiction of justices of the peace in criminal cases, or of the criminal court of Cook county,) and concurrent jurisdiction in appeals from justices of the peace and police magistrates, and such other jurisdiction as may be provided by law—all of which shall be cognizable at the law terms hereinafter mentioned.

"§ 6½. All offenses cognizable in county courts shall be prosecuted by information of the State's attorney, Attorney-General, or some other person; and when an information is presented by any person other than the State's attorney or Attorney-General, it shall be verified by affidavit of such person that the same is true, or that the same is true as he is informed and believes. Before an information is filed by any person other than the State's attorney or Attorney-General, the judge of the court shall examine the information, and may examine the person presenting the same and require other evidence, and satisfy himself that there is probable cause for filing the same, and so indorse the same. Every information shall set forth the offense with reasonable certainty substantially as required in an indictment. The terms of the county court for probate matters shall commence on the third Monday of each month during the year, except the months of January, April, July and October. The law terms of said court shall commence on the third Monday of January, April, July and October in each year."

Pending the consideration of the amendment offered by Mr. Sanford,  
On motion of Mr. Starne,  
The Senate, at 12:25 o'clock P. M., adjourned until 2:30 o'clock, P. M.

**TWO-THIRTY O'CLOCK P. M.**

Senate met, pursuant to adjournment.

Mr. Whiting (by unanimous consent) introduced Senate bill, No. 556, for "An act to authorize the removal of the feeder dam across the Calumet river, near Blue Island, in Cook county, in the State of Illinois, and to provide compensation to Christian Pfeiffer and John Roll, for any loss they may sustain by its removal."

Which was ordered to a first reading, and,

On motion of Mr. Whiting,

The rules were suspended and the bill was read at large a first time, and ordered to a second reading and ordered printed.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and on the 6th day of February, 1874, laid before the Governor for his approval, viz :

Senate bill, No. 293, for "An act to revise the law in relation to coroners."

A message from the Governor, by Philo J. Beveridge, Private Sec'y :

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed a bill of the following title, to-wit :

Senate bill, No. 293, for "An act to revise the law in relation to coroners."

A message from the Governor, by Philo J. Beveridge, Private Sec'y :

Mr. President: I am directed by the Governor to lay before the Senate the following written communication :

**STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, February 6, 1874.**

*To the Honorable the Senate:*

I have the honor to nominate and appoint the following named gentlemen notaries public, in and for the counties in which they respectively reside :

Names.	Residence.	County.
David M. Ward.....	Chicago.....	Cook.
Hubert C. Dexter.....	".....	"
E. A. Crane.....	".....	"
Stephen B. Bowles.....	".....	"
Franklin P. Wilson.....	".....	"
James Baxter.....	".....	"
Hubert D. Thetean.....	".....	"
Green P. Garner.....	Villa Ridge.....	Pulaski.
C. Lewis Robinson.....	Rockford.....	Winnebago.
Wm. H. Jenkins.....	Pontiac.....	Livingston.
Fraser M. Bassett.....	Metamora.....	Woodford.
Henry C. Nichols.....	Quincy.....	Adams.
Robert McWilliams.....	Litchfield.....	Montgomery.
Wm. Newton.....	Bement.....	Platt.
Wm. B. Tribe.....	Albion.....	Edwards.
George W. Ellsberg.....	Mason City.....	Mason.
Erskin M. Hamilton.....	Bloomington.....	McLean.
Hiram Cody.....	Bloomington.....	DuPage.
John F. Jenkins.....	Lincoln.....	Logan.

Names.	Residence.	County.
Edward L. Cook.	Snashwine.	Putnam.
A. D. Higgins.	Springfield.	Sangamon.
John S. Wilcox.	Elgin.	Kane.
S. C. Knight.	Champaign.	Champaign.
Wm. P. Orth.	Mt. Carmel.	Wabash.
Aleperen Ford.	Fullersburg.	DuPage.
Wm. H. Powell.	Northville.	LaSalle.
Andrew Melvin.	New Haven.	Gallatin.
Theodore M. Walker.	Bloomington.	McLean.
James C. Brady.	Efingham.	Efingham.
C. Granville Hammond.	Highland Park.	Lake.
Samuel J. Johnson.	Streator.	LaSalle.
Thomas C. Sharpe.	Carthage.	Hancock.]
Herman Freidrich.	Hull.	Clinton.
Wilber H. Boies.	Gridley.	McLean.
Byron Phelps.	Fairbury.	Livingston.
James J. McCarthy.	Chicago.	Cook.
James Lane Allen.	"	"
Lorin Grant Pratt.	"	"
Daniel J. Hubbard.	"	"
Julius Steele.	"	"
Philip A. Hoyne.	"	"
Bernard F. Webber.	"	"
Francis E. Butler.	"	"
John W. Finley.	"	"
Wm. H. Phelps.	"	"
Norman Hall.	"	"
John H. Avery.	"	"
Wm. S. Johnson.	Hyde Park.	"
Edward N. Bement.	Chicago.	"
Edward S. Dreyer.	"	"
Charles Woland.	"	"
Wm. A. Day.	Urbana.	Champaign.
Wm. Elatan.	DuQuoin.	Perry.
Francis C. Russell.	Chicago.	Cook.
S. H. Byrns.	"	"
John Summerfield.	"	"
Jacob C. Garrigus.	"	"
Wm. Swineburn.	"	"
Edward Goodrich.	"	"
Charles H. Bradley.	"	"
John S. Stevens.	"	"
Wm. J. Campbell.	"	"
Thomas O. T. Hartigan.	"	"
Miles T. Tillotson.	"	"
Napoleon B. Brant.	"	"
James D. C. Whitney.	"	"
C. R. Matson.	"	"
Charles Tunnellife.	"	"
Wm. W. Duffin.	"	"
Joseph H. Ernst.	"	"
Theodore Reese.	Evanston.	"
M. A. Farr.	Chicago.	"
Michael O'Brien.	"	"
Samuel H. Blane.	Greenview.	Menard.
John H. Dunkleburg.	Clayton.	Adams.
J. Norman Gridley.	Virginia.	Cass.
Davis C. Mallory.	Nunda.	McHenry.
James N. Jarvis.	Troy.	Madison.
Samuel A. White.	East St. Louis.	St. Clair.
Frank Isreal.	Mt. Erie.	Wayne.
Will S. Hay.	Nashville.	Washington.
Andreas Krause.	Fayetteville.	St. Clair.
Jacob Yager.	Mt. Pulaski.	Logan.
Alfred Guyot.	Trenton.	Clinton.
John Barr.	Sheridan.	LaSalle.
Aug. S. J. Phelps.	Elmwood.	Peoria.
John A. McCoy.	Peoria.	"
George H. Kettelle.	"	"
Wm. R. Moore.	Chenoe.	McLean.
Henry C. Hogg.	Bloomington.	"
George B. Ela.	"	"
Ephraim B. Carter.	Nilwood.	Maconpin.
Moses W. Allen.	Young America.	Warren.
W. H. H. Green.	Maquon.	Knox.
Delavan S. Foote.	Chicago.	Cook.
Willie H. Griffith.	Carthage.	Hancock.

In these appointments I respectfully ask your concurrence.

JOHN L. BEVERIDGE,  
Governor.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed :

Senate bill, No. 453, for "An act to revise the law in relation to the General Assembly."

Senate bill, No. 462, for "An act to revise the law in relation to oil inspection."

Senate bill, No. 465, for "An act to revise the law in relation to State militia."

Senate bill, No. 466, for "An act to revise the law in relation to pardons."

Senate bill, No. 468, for "An act to revise the law in relation to quo warranto."

Senate bill, No. 469, for "An act to revise the law in relation to reporter of the supreme court."

Senate bill, No. 470, for "An act to revise the law in relation to the seat of government."

Senate bill, No. 471, for "An act to revise the law in relation to slander and libel."

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that Senate amendments to House bill of the following title have been correctly engrossed :

House bill, No. 203, for "An act to provide for fencing railroads, and to secure the safety of persons and property, their prompt transportation and the proper making up of trains and the management and running of locomotive engines and cars."

A message from the Governor, by Philo J. Beveridge, Private Sec'y :

Mr. President: I am directed by the Governor to lay before the Senate the following written communication :

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, February 6, 1874.

*To the Honorable the Senate:*

I have the honor to nominate and appoint R. H. Mann, of Chester, to be public administrator in and for the county of Randolph, and respectfully ask your concurrence therein.

JOHN L. BEVERIDGE, Governor.

The President announced as the order of business the consideration of Senate bill, No. 447; for "An act to revise the law in relation to county courts."

The pending question being, "Shall the amendment offered by Mr. Sanford be adopted?"

Mr. Cummings offered the following amendment to the amendment :

Amend amendment by adding to section 6½, "Provided, that if the county court shall order that any one or more of the said law terms shall be omitted, the same shall not be held; but all process and proceedings cognizable at such terms shall be returnable and had at the law term or terms not so ordered to be omitted."

The question being, "Shall the amendment to the amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Canfield, Casey, Castle, Crews, Cummings, Cunningham, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hundley, Jacobs, Kelly, Nicholson, Palmer, Sheldon, Starnes, Steele, Strong, Upton, Voris, Warren, Whiting, Wilcox, Yager—31.

Those voting in the negative are,

Messrs. Archer, Brown, Burke, Cusey, Kehoe, Murphy, Reynolds, Sanford, Shepard, Thompson, Waite, Youngblood—12.

Mr. Cummings offered the following amendment to the amendment, which was adopted :

Amend amendment by adding, after the word "omitted," "but if any law term is dispensed with by order of the court in any county, then a probate term in such county shall be held in the place of the law term dispensed with, and at the same time and place."

Mr. Henry moved to refer the bill to the committee on judiciary ; which motion was decided in the negative.

The question being, "Shall the amendment as amended be adopted ?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Castle, Cummings, Cunningham, Cusey, Glenn, Hampton, Kehoe, Kelly, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Strong, Ware, Whiting, Yager—22.

Those voting in the negative are,

Messrs. Burke, Canfield, Casey, Donahue, Green, Gundlach, Jacobs, Starnes, Steele, Upton, Voris, Waite, Warren, Wilcox, Youngblood, Mr. President—16.

Mr. Sanford offered the following amendment, which was adopted :

Amend section 8 by adding the following words : "Process, in cases cognizable at the law terms of the county courts, shall be made returnable at such terms."

Mr. Sanford offered the following amendment :

Amend by inserting between sections 9 and 10 the following section :

"§ 9½. The practice and proceedings in county courts shall be the same as in circuit courts in like cases, except as is otherwise provided by law."

The question being, "Shall the amendment be adopted ?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Castle, Cunningham, Cusey, Glenn, Hampton, Henry, Kelly, Nicholson, Sanford, Shepard, Strong, Waite, Ware, Whiting, Yager—19.

Those voting in the negative are,

Messrs. Burke, Canfield, Crews, Cummings, Donahue, Ferrell, Green, Gundlach, Jacobs, Palmer, Sheldon, Starnes, Steele, Upton, Voris, Warren, Wilcox, Youngblood—18.

Mr. Sanford offered the following amendment :

"§ 9½. The judges of the county courts shall have the same powers and authority in vacation, in all matters within their jurisdiction, as are or may be given to the judges of circuit courts in like cases."

The question being, "Shall the amendment be adopted ?" and the yeas and nays being demanded, it was decided in the negative by the following vote :

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Castle, Cunningham, Cusey, Glenn, Hampton, Henry, Nicholson, Reynolds, Sanford, Shepard, Strong, Ware, Whiting, Yager—18.

Those voting in the negative are,

Messrs. Burke, Canfield, Casey, Crews, Cummings, Donahue, Ferrell, Green, Gundlach, Jacobs, Kelly, Palmer, Sheldon, Starnes, Steele, Voris, Warren, Wilcox, Youngblood—19.

Mr. Kelly offered the following amendment :

Section 10, line 2, amend by inserting after the word "county," the words "when the judge shall desire his attendance."

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Canfield, Crews, Cummings, Ferrell, Glenn, Green, Gundlach, Hampton, Kelly, Nicholson, Palmer, Starnes, Strong, Warren, Whiting, Yager—18.

Those voting in the negative are,

Messrs. Casey, Castle, Cunningham, Cusey, Donahue, Henry, Jacobs, Reynolds, Sanford, Sheldon, Shepard, Upton, Ware, Wilcox—14.

Mr. Ware offered the following amendment, which was adopted:

Amend section 12 by striking from line 1 the words "other than as a creditor."

Mr. Jacobs offered the following amendment, which was lost:

Amend by striking out section 16.

On motion of Mr. Hampton,

The vote whereby the following amendment was adopted, was reconsidered:

Section 10, line 2, amend by inserting after the word "county" the words "when the judge shall desire his attendance."

The question being, "Shall the amendment be adopted?" it was decided in the negative.

Mr. Hampton offered the following amendment, which was adopted:

Amend section 10 by adding: "Provided, that the sheriff shall receive pay for attendance upon the sittings of said court only when requested so to do by the court."

Mr. Sanford offered the following amendment, which was adopted:

Amend section 5 by adding thereto the following words: "All of which shall be considered as probate matters, and be cognizable at the probate terms hereinafter mentioned."

Mr. Sanford offered the following amendment, which was adopted:

Amend section 9 by inserting after the word "court," in line 3, the following, "except the law terms."

Mr. Ware offered the following amendment, which was adopted:

Amend section 12 by adding thereto the following: "Provided, that in case the judge is interested only as a creditor, no change need be made except in relation to his claims."

Mr. Thompson offered the following amendment, which was lost:

Amend by adding: "§ 18. Whenever the business of the county court of which said court has exclusive original jurisdiction shall, in the opinion of the court, be prejudiced by the business consequent upon the extended jurisdiction, said court may transfer any or all causes pending in said court, of which the circuit court has concurrent jurisdiction, to said circuit court, and shall thereupon transfer to said circuit court all papers belonging to said cause, with a transcript of the proceedings in said cause."

On motion of Mr. Nicholson,

The previous question was ordered.

And the question being, "Shall the bill be engrossed and printed for a third reading?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Cummings, Cunningham, Cusey, Green, Hampton, Henry, Hincliffe, Kelly, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Strong, Ware, Whiting, Wilcox, Yager, Mr. President—24.

Those voting in the negative are,

Messrs. Brown, Burke, Canfield, Casey, Crews, Donahue, Dow, Gundlach, Jacobs, Starue, Voris, Walte, Warren, Youngblood—14.

Mr. Canfield, (by unanimous consent) from the committee on municipalities, to which was referred Senate bill, No. 524, for "An act to provide for the laying of water supply pipe by bonds and special assessments payable in installments," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

The bill was ordered on file for second reading.

Mr. Yager (by unanimous consent) called up Senate bill, No. 522, for "An act to authorize the Trustees of the State Reform School to lease the labor of the inmates."

Which was read at large a second time, and ordered on file to be considered by sections, and,

On motion of Mr. Yager,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Crews, at 5 o'clock P. M., moved that the Senate adjourn; which motion was decided in the negative.

By unanimous consent, the special order for the consideration of the motion, made by Mr. Strong, to reconsider the vote whereby rule 68 was adopted, which was made the special order for to-day at 2:30 o'clock P. M., was postponed until to-morrow morning, at 10 o'clock.

On motion of Mr. Cummings,

The Senate, at 5:05 o'clock P. M., adjourned.

#### SATURDAY, FEBRUARY 7, 1874—10 O'clock A. M.

The Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Reed.

The journal of yesterday was being read, when,

On motion of Mr. Nicholson,

The further reading of the same was dispensed with.

Mr. Voris (by unanimous consent) called up the resolutions offered by him on February 2, 1874, calling for information from the Railroad and Warehouse Commissioners.

Mr. Whiting moved to refer the resolutions to the committee on railroads.

Mr. Sheldon moved to amend the motion by referring to the committee on judiciary; which motion was decided in the negative.

The question being, "Shall the resolutions be referred to the committee on railroads?" it was decided in the affirmative.

The President announced the time for the special order, being the consideration of the motion to reconsider the vote whereby the following rule was adopted:

"Rule 68. Hereafter no Senator shall be appointed on the committee on appropriations who represents a district that is asking an appropriation for the building, completion or furnishing of any institution located in their respective districts."

On motion of Mr. Nicholson,

The previous question was ordered.

And the question being, "Shall the vote whereby rule 68 was adopted be reconsidered?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Canfield, Castle, Cunningham, Cusey, Ferrell Hampton, Henry, Jacobs, McGrath, Nicholson, Sanford, Sheldon, Shepard, Steele, Strong, Thompson, Ware, Warren, Whiting, Wilcox, Mr. President—84.

Those voting in the negative are,

Messrs. Burke, Crews, Cummings, Donahue, Gundlach, Hinchcliffe, Kehoe, Kelly, Reynolds, Starnes, Yager, Youngblood—12.

The question then being, "Shall the rule be adopted?"

Mr. McGrath moved to lay the rule on the table.

And the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Canfield, Castle, Cunningham, Cusey, Hampton, Henry, Jacobs, McGrath, Nicholson, Palmer, Sanford, Sheldon, Shepard, Steele, Strong, Thompson, Ware, Warren, Whiting, Wilcox—22.

Those voting in the negative are,

Messrs. Brooks, Burke, Crews, Cummings, Donahue, Ferrell, Gundlach, Hinchcliffe, Kehoe, Kelly, Reynolds, Starnes, Yager, Youngblood, Mr. President—15.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed :

Senate bill, No. 467, for "An act to revise the law in relation to paupers."

Senate bill, No. 473, for "An act to revise the law in relation to sureties."

Senate bill, No. 475, for "An act to revise the law in relation to telegraph companies."

Senate bill, No. 476, for "An act to revise the law in relation to tender."

Senate bill, No. 477, for "An act to revise the law in relation to toll bridges."

Senate bill, No. 479, for "An act to revise the law in relation to universities, colleges, academies, and other institutions of learning."

Senate bill, No. 480, for "An act to revise the law in relation to the vacation of streets, alleys and public grounds."

A message from the House of Representatives, by Mr. Magie :

Mr. President : I am directed to inform the Senate that the House of Representatives has refused to concur with them in the passage of a bill of the following title, to-wit :

Senate bill, No. 131, for "An act for establishing savings banks."

A message from the House of Representatives, by Mr. Magie :

Mr. President : I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit :

Senate bill, No. 438, for "An act to repeal an act entitled 'an act to provide for the election of additional supervisors in the county therein named.' "

A message from the House of Representatives, by Mr. Johns :

Mr. President : I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of bills of the following titles, to-wit :



Senate bill, No. 446, for "An act to fix the terms of the courts in Cook county."

Senate bill, No. 291, for "An act to revise the law in relation to replevin."

The President announced the order of business as being the consideration of Senate bill, No. 458, for "An act to revise the law in relation to licenses."

Mr. Kehoe offered the following amendment, which was lost:

Amend section 9, by striking out all after the word "person," in line 6.

Mr. Baldwin offered the following amendment:

Amend by striking out section 3, and insert the following:

"§ 3. The county board shall not be authorized, in any case, to grant licenses to sell intoxicating liquors."

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cunningham, Cusey, Donahue, Hampton, Henry, Jacobs, Sanford, Sheldon, Shepard, Strong, Thompson, Warren, Whiting, Wilcox—16.

Those voting in the negative are,

Messrs. Archer, Brooks, Brown, Burke, Canfield, Crews, Cummings, Ferrell, Gundlach, Hinchcliffe, Kehoe, Kelly, McGrath, Palmer, Reynolds, Starnes, Steele, Ware, Yager, Youngblood—30.

Mr. Cummings entered a motion to reconsider the vote whereby the amendment was lost.

Mr. Archer (by unanimous consent) introduced Senate bill, No. 557, for "An act to empower the Auditor to draw his warrants for unexpended money heretofore appropriated to the Institution for the Education of the Blind."

Which was ordered to a first reading.

On motion of Mr. Yager,

The Senate, at 12:05 o'clock P. M., adjourned until 2:30 o'clock P. M.

## TWO-THIRTY O'CLOCK, P. M.

Senate met, pursuant to adjournment.

The President announced the pending business as being the consideration of Senate bill, No. 458, for "An act to revise the law in relation to licenses."

On motion of Mr. Cummings,

The further consideration of the bill was postponed to and made the special order for Monday, February 9th, at 2:30 o'clock P. M.

Mr. Ferrell (by unanimous consent), from the committee on revenue, to which was referred House bill, No. 721, for "An act in regard to the assessors and collectors in certain incorporated cities, and to extend the time for the assessment and collection of the county and State taxes therein, for year 1873," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading, and,

On motion of Mr. Ferrell,

The rules were suspended, and the bill read at large a second time, and ordered on file to be considered by sections.

On motion of Mr. Kelly.

The rules were further suspended, and the bill was discharged from the order of consideration by sections.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative.

Mr. Burke (by unanimous consent) offered the following resolution :

WHEREAS, Morris K. Jessup, a non-resident of this State, has filed his application for an injunction against some twenty-four county collectors in this State, praying for the writ of injunction to enjoin them from collecting the taxes assessed upon the property of the Chicago and Alton Railroad Company lying within their respective counties; and whereas, writs have been issued and placed in the hands of the proper officers, which writs have been served upon the said several county collectors, commanding or summoning them and each of them to appear before the Judge of the circuit court of the United States of America for the Northern District of the State of Illinois, at Chicago, in said district, on the 10th day of February, 1874, to answer said bill of complaint, upon the pain of judgment being pronounced against them by default; and whereas, the State of Illinois is largely interested in the termination or result of said suits; therefore,

Resolved, That the Attorney General of this State be and he is hereby respectfully requested to attend the sitting of the said court, at the time mentioned in said notice, and answer for the several collectors, if necessary, and resist the granting of the injunction, as well on the part of the State as that of the several collectors and the counties therein named.

Resolved, That the Secretary of the Senate furnish the Attorney-General with a copy of this resolution.

On motion of Mr. Burke,

The rules were suspended and the resolution was taken up for consideration.

The question being, "Shall the resolution be adopted?" it was decided in the affirmative.

On motion of Mr. Sheldon,

The rules were suspended, and House bill, No. 537, for "An act to repeal an act entitled 'an act to attach a portion of town 19 north, range 12 west, to town 18 north, range 12 west, in Vermilion county, State of Illinois,' approved February 21, 1859," was taken up, read at large a second time, and ordered on file to be considered by sections, and,

On motion of Mr. Sheldon,

The rules were further suspended, and the bill was discharged from the order of consideration by sections.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative.

Mr. Shepard (by unanimous consent) introduced Senate bill, No. 558, for "An act to amend section 20 of an act entitled 'an act concerning conveyances,' approved April 29, 1872."

Which was ordered to a first reading, and,

On motion of Mr. Shepard,

The rules were suspended, and the bill was read at large a first time, and ordered to a second reading.

Mr. Baldwin (by unanimous consent) called up Senate bill, No. 364, for "An act to appropriate money to pay the salary and expense of publishing the report of the State Entomologist."

Which was read at large a second time, and ordered on file to be considered by sections.

Mr. Sanford (by unanimous consent), from the committee on judiciary, to which was referred Senate bill, No. 542, for "An act to amend section 109 of an act entitled 'an act in regard to administrations of estates,' approved April 1, 1872," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading, and,

On motion of Mr. Sanford,

The rules were suspended, and the bill was read at large a second time, and ordered on file to be considered by sections.

Mr. Jacobs (by unanimous consent) introduced Senate bill, No. 559,

for "An act to amend paragraph 4, of section 97, of an act entitled 'an act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872."

Which was ordered to a first reading, and,

On motion of Mr. Jacobs,

Referred to the committee on revenue.

Mr. Gundlach (by unanimous consent), from the special committee appointed to examine the tax books of Cook county, made the following report:

Your committee, to whom was referred the examination of the tax books and accounts of the county clerk and collector of Cook county, beg leave to report that the said books and accounts have been found correct, and that the levy has been made and the taxes extended in strict compliance with the increased valuation of property by the State Board of Equalization for 1873.

They also submit a copy of the order of the board of supervisors, and amount of taxes charged against Cook county, as the same appears on said county record.

Respectfully submitted.

S. P. CUMMINGS,  
J. C. SHELDON,  
G. GUNDLACH.

MONDAY, OCTOBER 27, 1873—2 P. M.

Board met, pursuant to adjournment, President H. B. Miller in the chair.

Present—Commissioners Ashton, Harris, Pohlman, Bogue, Harrison, Russell, Clough, Herting, Singer, Crawford, Jones, Galoway, Loneragan.

Minutes of last meeting read and approved.

During the session the committee on finance submitted the following:

Your committee on finance, to whom was referred the communication of the county clerk submitting a table showing the value of all property in Cook county, as equalized and assessed by the State Board of Equalization for A. D. 1873, having had the same under advisement, beg leave to report the same back, and recommend that it be spread on the records of the board.

All of which is respectfully submitted.

GEO. M. BOGUE,  
THOS. LONERAGAN,  
H. M. SINGER,  
J. H. CLOUGH,  
CARLES H. HARRISON,  
*Committee on Finance.*

Report concurred in. The exhibit above referred to being as follows:

*Cook County Valuation for A. D. 1873.*

Class of Property.	Assessed Valuation by Town Assessors.	Valuation as Corrected and Equalized by County Board.	Valuation, as equalized and assessed by State Board.	
			Amount added per \$100 valuation on County Equalization. See § 126, Revenue Law.	Total equalized and assessed value.
Lands, including railroad...	\$18,823,579	\$19,251,349	\$123 00	\$42,737,995
Lots, including railroad...	92,430,996	92,277,887	107 00	191,015,296
Personal property, including railroad.....	32,891,090	32,891,090	68 00	55,257,031
Totals.....	\$144,145,665	\$144,420,326		\$390,010,222
To which amount add the railroad-track, rolling stock and capital stock of railroad companies, as assessed by the State Board of Equalization.....				
Also the capital stock of companies and associations, as assessed by the State Board of Equalization.....				6,122,264
Also Cook county's proportion of the capital stock of the Western Union Telegraph Company, as assessed by the State Board of Equalization.....				11,635,604
				73,253
Total valuation of Cook county, as equalized and assessed by the State Board of Equalization for A. D. 1873.....				\$306,841,373

Board met Monday, November 3, 1873, pursuant to adjournment.

A quorum being present, the minutes of the preceding meeting (October 23, 1873) were read and approved.

The rate upon which county taxes were extended for 1873 was 40 cents per \$100 on the valuation, as assessed and equalized by the State Board of Equalization, viz., \$306,841.373.

The rate upon which State taxes were extended for 1873 was 36 cents per \$100 on the valuation, as assessed and equalized by the State Board of Equalization, viz., \$306,841.373.

The amount of taxes charged against county collector for 1873 and prior years, as shown by certified statement of county clerk in possession of said collector, is as follows, to-wit:

The State Tax for 1873 is.....	\$1,105,939 95
The County Tax for 1873.....	1,228,589 95
All other taxes and assessments for 1873 and prior years are.....	1,715,117 10

Total of all taxes charged.....\$4,049,637 00

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of bills of the following titles, to-wit:

Senate bill, No. 510, for "An act to amend section 91 of an act entitled 'an act in regard to the administration of estates,' approved April 1, 1872."

Senate bill, No. 444, for "An act to revise the law in relation to circuit courts and the superior court of Cook county."

Senate bill, No. 317, for "An act to revise the law in relation to the partition of real estate."

Mr. Thompson (by unanimous consent) called up Senate bill, No. 524, for "An act to provide for the laying of water supply pipes by bonds and special assessments payable in installments."

Which was read at large a second time, and ordered on file to be considered by sections.

On motion of Mr. Starne,

The rules were suspended, and House bill, No. 720, for "An act concerning jurors and to repeal certain acts herein named," was taken up and read at large a second time, and,

On motion of Mr. Starne,

Referred to the committee on judiciary.

Mr. Ware (by unanimous consent) called up Senate bill, No. 541, for "An act to amend section 20 of an act entitled 'an act in regard to gateways, roads and bridges, in counties not under township organization,' approved April 18, 1873."

Which was read at large a second time, and ordered on file to be considered by sections.

Mr. Henry (by unanimous consent), from the committee on education, introduced Senate bill, No. 560, for "An act to protect colored children in their rights to attend public schools."

Which was ordered to a first reading.

By unanimous consent, the order of Senate bills on third reading was taken up for consideration.

Senate bill, No. 453, for "An act to revise the law in relation to the General Assembly," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 32, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Canfield, Castle, Crews, Cummings, Cunningham, Cusey, Donahue, Farrell, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Kelly, Palmer, Reynolds, Sanford, Sheldon, Shepard, Starne, Steele, Strong, Thompson, Voris, Ware, Warren, Whiting, Yager, Mr. President—32.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 462, for "An act to revise the law in relation to oil inspection," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 28, nays 2.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Canfield, Castle, Crews, Cummings, Cusey, Ferrell, Jacobs, Kelly, Palmer, Reynolds, Sanford, Sheldon, Shepard, Starnes, Steele, Strong, Thompson, Voria, Ware, Warren, Whiting, Wilcox, Yager, Mr. President—28.

Messrs. Hampton and Hinchcliffe voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 469, for "An act to revise the law in relation to reporter of the supreme court," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 26, nays 3.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Canfield, Castle, Crews, Cummings, Cunningham, Cusey, Ferrell, Jacobs, Palmer, Reynolds, Sanford, Sheldon, Shepard, Starnes, Steele, Strong, Thompson, Ware, Warren, Whiting, Wilcox, Yager, Mr. President—26.

Those voting in the negative are,

Messrs. Henry, Hinchcliffe, Kelly—3.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 470, for "An act to revise the law in relation to the seat of government," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 28, nays 1.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Canfield, Castle, Crews, Cummings, Cusey, Ferrell, Hampton, Henry, Hinchcliffe, Jacobs, Kelly, Palmer, Patterson, Sanford, Sheldon, Shepard, Starnes, Steele, Strong, Thompson, Ware, Warren, Whiting, Wilcox, Yager, Mr. President—28.

Mr. Reynolds voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 471, for "An act to revise the law in relation to slander and libel," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 28, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Canfield, Castle, Crews, Cummings, Cusey, Ferrell, Hampton, Henry, Hinchcliffe, Jacobs, Kelly, Palmer, Reynolds, Sanford, Sheldon, Shepard, Starnes, Steele, Strong, Thompson, Ware, Warren, Whiting, Wilcox, Mr. President—28.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 473, for "An act to revise the law in relation to sureties," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 26, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Castle, Crews, Cummings, Cusey, Ferrell, Hampton, Henry, Hinchcliffe, Jacobs, Kelly, Palmer, Reynolds, Sanford, Sheldon, Shepard, Starnes, Steele, Strong, Ware, Warren, Whiting, Wilcox, Mr. President—26.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 475, for "An act to revise the law in relation to telegraph companies," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 1.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Canfield, Castle, Cummings, Cunningham, Cusey, Ferrell, Hampton, Henry, Hinchcliffe, Jacobs, Kelly, Palmer, Reynolds, Sanford, Sheldon, Shepard, Sterne, Steele, Strong, Thompson, Ware, Warren, Whiting, Wilcox, Yager, Mr. President—29.

Mr. Crews voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Crews, at 4:20 o'clock P. M., moved to adjourn.

And the question being, "Shall the Senate adjourn?" and the yeas nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

[Messrs. Crews, Cummings, Hinchcliffe, Palmer, Reynolds, Sanford, Warren, Whiting, Yager—9.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Burke, Canfield, Castle, Cunningham, Cusey, Ferrell, Hampton, Henry, Jacobs, Kelly, Sheldon, Shepard, Sterne, Strong, Thompson, Ware, Wilcox, Mr. President—20.

Senate bill, No. 476, for "An act to revise the law in relation to tender," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 1.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Canfield, Castle, Crews, Cummings, Cunningham, Cusey, Ferrell, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Kelly, Palmer, Reynolds, Sanford, Sheldon, Shepard, Sterne, Steele, Strong, Ware, Warren, Whiting, Wilcox, Yager, Mr. President—29.

Mr. Thompson voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Cummings,

The Senate, at 4:25 o'clock P. M., adjourned.

MONDAY, FEBRUARY 9, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by the Rev. Mr. Worrall.

The journal of Saturday was being read, when,

On motion of Mr. Crews,

The further reading of the same was dispensed with.

On motion of Mr. Youngblood,

Leave of absence was granted Mr. Murphy.

On motion of Mr. Jacobs,

Leave of absence was granted Mr. Patterson.

Mr. Hinchcliffe (by unanimous consent) introduced Senate bill, No. 561, for "An act to amend section 3 of an act entitled 'an act concerning corporations,' approved April 18, 1872, in force July 1, 1872."

Which was ordered to a first reading.

Mr. Archer (by unanimous consent) called up Senate bill, No. 557, for "An act to empower the Auditor to draw his warrants for unexpended money heretofore appropriated to the Institution for the education of the Blind."

Which was read at large a first time, and ordered to a second reading, and,

On motion of Mr. Archer,

Referred to the committee on state charitable and educational institutions.

Mr. Kelly (by unanimous consent) presented the following rule, which laid over under the rules:

"Rule 68. It shall be deemed indecorous for any Senator, by himself or another, to desire to have his name placed upon any committee."

On motion of Mr. Hampton,

The rules were suspended, and Senate bill, No. 549, for "An act to amend an act entitled 'an act concerning circuit courts, and to fix the times for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook,' approved May 21, 1872," was taken up and read at large a second time, and ordered on file for consideration by sections.

On motion of Mr. Hampton,

The rules were further suspended, and the bill was discharged from the order of consideration by sections.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Shepard (by unanimous consent) called up Senate bill, No. 558, for "An act to amend section 20 of an act entitled 'an act concerning conveyances,' approved April 29, 1872."

Which was read at large a second time, and,

On motion of Mr. Shepard,

Referred to the committee on judiciary.

Mr. Ware, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and, on the 9th day of February, 1874, laid before the Governor for his approval, to-wit:

Senate bill, No. 141, for "An act to amend section 132 of an act entitled 'an act in regard to elections, and to provide for filling vacancies in elective offices,' approved April 3, 1872."

Senate bill, No. 168, for "An act to encourage the planting and growing of timber."

Senate bill, No. 291, for "An act to revise the law in relation to replevin."

Senate bill, No. 438, for "An act to repeal an act entitled 'an act to provide for the election of additional supervisors in the county therein named.'"

Senate bill, No. 446, for "An act to fix the terms of the courts of Cook county."

Senate bill, No. 510, for "An act to amend section 91 of an act entitled 'an act in regard to the administration of estates,' approved April 1, 1872."

Senate bill, No. 317, for "An act to revise the law in relation to the partition of real estate."

Mr. Ware, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed, viz:

Senate bill, No. 482, for "An act to revise the law in relation to weights and measures."

Senate bill, No. 522, for "An act authorizing the Trustees of the State Reform School to lease the labor of the inmates."

Mr. Burke (by unanimous consent) called up Senate bill, No. 555, for "An act for the benefit and protection of the incurable insane."

Which was read at large a first time, and ordered to a second reading, and,

On motion of Mr. Burke,

Referred to the committee on state charitable and educational institutions.

Mr. Steele (by unanimous consent) called up Senate bill, No. 501, for "An act to amend an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' approved March 29, 1872."

Which was read at large a first time, and ordered to a second reading.

On motion of Mr. Cusey,

The rules were suspended, and Senate bill, No. 528, for "An act to reimburse to the county of McLean the sum of four thousand eight hundred and fifty dollars in abatement of taxes for the year 1872," was taken up for consideration by sections.

Sections 1 and 2 were adopted.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Henry (by unanimous consent) called up Senate bill, No. 535, for "An act to amend an act entitled 'an act in regard to guardians and wards,' approved April 10, 1872."

Which was read at large a second time, and ordered on file to be considered by sections.

On motion of Mr. Cummings,

The rules were suspended, and House bill, No. 336, for "An act to amend section 2 of an act entitled 'an act in regard to practice in courts of record,' approved February 22, 1872," was taken up for consideration by sections.

And the pending question being, "Shall the Senate adopt the amendment reported from the committee on judiciary?" it was decided in the affirmative.

Section 1 was adopted.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative.

Mr. Wilcox (by unanimous consent) called up Senate bill, No. 532, for "An act to provide for the construction of suitable fish ways in dams constructed by the Board of Canal Commissioners across streams in this State."

Which was read at large a second time, and,

On motion of Mr. Wilcox,

Referred to the committee on canals and rivers.



Mr. Glenn (by unanimous consent) called up the following resolution of the House of Representatives :

*Resolved by the House of Representatives, the Senate concurring herein, That the joint committee on state institutions be and hereby are authorized to employ a clerk.*

On motion of Mr. Sheldon,

The resolution was referred to the committee on expenses of the general assembly.

Mr. Hinchcliffe (by unanimous consent) called up Senate bill, No. 561, for "An act to amend section 3 of an act entitled 'an act concerning corporations,' approved April 18, 1872, in force July 1, 1872."

Which was read at large a first time, and ordered to a second reading, and,

On motion of Mr. Hinchcliffe,

Referred to the committee on judiciary.

On motion of Mr. Cummings,

The rules were suspended, and the order of bills of the House of Representatives on third reading was taken up for consideration.

House bill, No. 109, for "An act to repeal section two (2) of an act entitled 'an act to authorize the city of Macomb to elect supervisors and other officers,' approved February 23, 1867," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 32, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Canfield, Crews, Cummings, Cunningham, Cusey, Ferrell, Glenn, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Kelly, Lee, Palmer, Reynolds, Sanford, Sheldon, Shepard, Starne, Steele, Thompson, Ware, Warren, Whiting, Wilcox, Youngblood, Mr. President—32.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

House bill, No. 463, for "An act to promote the science of medicine and surgery in the State of Illinois," was taken up to be read a third time, and,

On motion of Mr. Wilcox,

The further consideration of the bill was postponed to and made the special order for Tuesday, February 10, A. D. 1874, at 10 o'clock A. M.

House bill, No. 622, for "An act to revise the law in relation to costs," was taken up, and, having been printed, was read at large a third time.

Mr. Sheldon moved to recommit the bill to the joint committee on revision; which motion was decided in the negative.

The question being, "Shall this bill pass?" it was decided in the affirmative—yeas 31, nays 1.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Canfield, Castle, Cummings, Cunningham, Cusey, Ferrell, Glenn, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kelly, Lea, Palmer, Reynolds, Sanford, Shepard, Steele, Strong, Thompson, Ware, Warren, Whiting, Wilcox, Youngblood, Mr. President—31.

Mr. Burke voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

House bill, No. 391, for "An act to remove and transfer certain records relating to real estate from the office of the recorder of deeds of Schuyler county to the office of the Auditor of Public Accounts, and creating a custodian thereof, and providing the manner of obtaining certified copies of said records, and defraying the expenses of such removal," having been printed, was read at large a third time, and,

On motion of Mr. Cummings,

The further consideration of the bill was postponed to and made the special order for Thursday, February 12, A. D. 1874, at 10 o'clock A. M.

House bill, No. 648, for "An act to revise the law in relation to notices," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 35, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Canfield, Castle, Cummings, Cunningham, Cusey, Ferrell, Glenn, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Lee, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Sterne, Steele, Strong, Thompson, Voria, Ware, Warren, Whiting, Wilcox, Youngblood, Mr. President—35.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

House bill, No. 537, for "An act to repeal an act entitled 'an act to attach a portion of town nineteen north, range twelve west, to town eighteen north, range twelve west, in Vermilion county, State of Illinois,' approved February 21, 1859," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 1.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Canfield, Castle, Crews, Cummings, Cunningham, Cusey, Ferrell, Glenn, Gundlach, Hampton, Hinchcliffe, Jacobs, Kehoe, Kelly, Lee, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Strong, Ware, Warren, Whiting, Mr. President—29.

Mr. Thompson voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

House bill, No. 721, for "An act in regard to assessors and collectors in certain incorporated cities, and to extend the time for the assessment and collection of the county and state taxes therein, for the year A. D. 1873," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 36, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Canfield, Castle, Crews, Cummings, Cunningham, Cusey, Ferrell, Glenn, Gundlach, Hampton, Hinchcliffe, Hundley, Jacobs, Kelly, Lee, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Sterne, Steele, Strong, Thompson, Voria, Ware, Warren, Whiting, Wilcox, Youngblood, Mr. President—36.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and having received a vote of two-thirds of the members elected, was declared passed.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

House bill, No. 336, for "An act to amend section 2 of an act entitled 'an act in regard to practice in courts of record,' approved February 22, 1872," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Canfield, Castle, Crews, Cummings, Cunningham, Cusey, Ferrell, Glenn, Henry, Hinchcliffe, Hundley, Jacobs, Kelly, Reynolds, Sanford, Sheldon, Shepard, Steele, Strong, Thompson, Ware, Warren, Wilcox, Youngblood, Mr. President—29.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Cunningham (by unanimous consent) called up House bill, No. 580, for "An act to provide for the removal of the monuments, tomb-

stones, and remains of certain members of the General Assembly of this State, who died and were buried at Vandalia, Illinois," for consideration by sections.

The question being, "Shall the Senate adopt the amendment to the bill reported from the committee on appropriations?" it was decided in the affirmative.

On motion of Mr Cunningham,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

The question being, "Shall the bill be read a third time?" it was decided in the affirmative.

The amendment was then ordered printed.

House bill, No. 580, for "An act to provide for the removal of the monuments, tombstones and remains of certain members of the General Assembly of this State, who died and were buried at Vandalia, Illinois," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 31, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Canfield, Castle, Cummings, Cunningham, Cusey, Ferrell, Glenn, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kelly, Lee, Nicholson, Palmer, Reynolds, Sheldon, Sterne, Steele, Strong, Thompson, Warren, Whiting, Wilcox, Youngblood, Mr. President—31.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Cummings,

The Senate, at 12:05 o'clock P. M., adjourned until 2:30 o'clock P. M.

## TWO-THIRTY O'CLOCK P. M.

The Senate met, pursuant to adjournment.

The President announced the time for the special order, being the consideration of Senate bill, No. 458, for "An act to revise the law in relation to licenses."

Mr. Whiting moved to refer the bill to the committee on miscellany.

Mr. Hinchcliffe moved to amend by referring to the committee on judiciary.

The question being, "Shall the bill be referred to the committee on judiciary?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Cusey, Ferrell, Glenn, Gundlach, Hinchcliffe, Hundley, Kelly, Reynolds, Sheldon, Sterne, Voris, Warren, Youngblood—14.

Those voting in the negative are,

Messrs. Baldwin, Burke, Cummings, Cunningham, Hampton, Henry, Jacobs, Nicholson, Palmer, Sanford, Shepard, Whiting, Wilcox, Mr. President—14.

The question then being, "Shall the bill be referred to the committee on miscellany?" it was decided in the affirmative.

Mr. Hampton (by unanimous consent) reported back the following resolution:

*Resolved by the House of Representatives, the Senate concurring herein, That the joint committee on State Institutions be and hereby are authorized to employ a clerk.*

—From the committee on miscellany, with the following amendment thereto :

*"Provided, Said clerk shall not be paid more than four dollars per day, with actual traveling expenses, and shall be paid only for the time actually employed in the business of said committee, an itemized account of which shall be made and certified by the chairman of the same."*

And recommended the adoption of the amendment, and of the resolution as amended.

The report of the committee was concurred in, and the amendment adopted.

The question being, "Shall the resolution as amended be concurred in?" it was decided in the affirmative.

Mr. Whiting (by unanimous consent) made the following report :

*To the Honorable the Senate :*

Your committee on canals and rivers having, in conjunction with the committee on canal and river improvements of the House of Representatives, had before them and duly considered a communication from the Governor in relation to cheap transportation, have instructed me to report to your honorable body the accompanying memorial to Congress, and to recommend its adoption.

L. D. WHITING,  
*Chairman Committee.*

*Resolved by the Senate, the House of Representatives concurring herein, That the following memorial be addressed to our Senators and Representatives in Congress :*

*To the Honorable the Senate and House of Representatives of the United States, in Congress assembled :*

Your memorialists, the People of the State of Illinois, represented in the General Assembly, do most respectfully represent to the Congress of the United States that the question of cheap transportation is agitating the people of the Northwest to an extent that has never been equalled. The advocates are not confined to any political party, but are a party of the people, the platform of which is cheap transportation for the products of the northwest to tide-water. That this feeling has taken deep root in the hearts of the people is evidenced by the late elections and frequent gatherings of agriculturists of the great grain-growing districts of the West.

Your memorialists do further represent to the Congress of the United States that the increasing population and consequent enlarged production of tonnage of shipment to tide-water, admonish the nation to provide at an early day such cheap means of transporting the surplus products of the great West as will be remunerative to the producer.

Your memorialists are satisfied that increased water transportation between the east and west is the only means by which the honest tiller of the soil can be rewarded for his toil, and as a step in this direction is the continuation of the Illinois and Michigan canal from the Illinois river to Rock Island on the Mississippi river, your memorialists do most respectfully urge upon Congress the wisdom and justice of an appropriation sufficient for this improvement. The route has been surveyed and pronounced by competent engineers practicable and comparatively cheap in the cost of construction. It is, indeed, a link in the great chain of water transportation between the east and the west, for which a bill is now before Congress, and which is necessary to enable the country tributary to the Mississippi to find a water outlet by the way of the great lakes to tide-water.

Your memorialists do therefore most earnestly appeal to Congress to take early action in this improvement, to the end that the interests of the great grain-growing districts of the nation may be fostered, the producer rewarded, and the manufacturing and other laboring masses of the east supplied at low prices with the abundance of life's necessities that cheap transportation can give them.

And your memorialists will ever pray, etc., etc.

Mr. Hinchcliffe moved to print the memorial; which motion was decided in the negative.

The report of the committee was then concurred in, and the memorial adopted,

Mr. Reynolds (by unanimous consent) offered the following resolution:

*Resolved, That there be appointed a committee of three, to investigate the affairs of the Soldiers' Orphans' Home, especially why some sixty-five inmates are retained in the Home who are above the age of fourteen years, while many children, legally entitled to be admitted, are refused admission for want of accommodation; also, to examine into the financial management of the Home, especially the amounts paid for fuel, lights and salaries, and the items of miscellaneous and incidental expenses, and report to this Senate whether, in their opinion, there should be any change in the law relating to the age at which inmates should be discharged, and whether or not the Home is honestly, economically and efficiently managed.*

On motion of Mr. Reynolds,

The rules were suspended, and the resolution was taken up for consideration.

The question being, "Shall the resolution be adopted?" it was decided in the affirmative.

Senate bill, No. 478, for "An act to revise the law in relation to township insurance companies,"

Was taken up and read at large a second time.

The question being, "Shall the Senate adopt the amendments reported from the joint committee on revision?"

On motion of Mr. Cummings,

The amendments of the committee were ordered taken up *seriatim*.

The following amendment from the committee was then taken up:

Amend section 1 by inserting in line 4, after the word "lines," the following words, "or any number of townships within the same county."

And the Senate refused to concur in its adoption.

The following amendments, reported from the committee, were adopted:

Amend section 1 by adding "or lightning."

Amend section 8 by striking out in line 1 the word "farm," and inserting in the same line, after the word "barn," the following words, "except livery, boarding and hotel barns."

Amend section 8 by inserting the words "or lightning" in line 6, after the word "fire."

Amend section 9, line 3, by inserting the words "or lightning" after the word "fire."

Amend section 11, line 1, by inserting the words "or lightning" after the word "fire."

The Senate refused to adopt the following amendment, reported from the committee:

Amend by adding to the bill the following section:

"§ 19. Any mutual fire insurance company, organized and doing business under any general or special law of this State, may adopt the provisions of this act and conform its organization hereto, upon first obtaining the written consent of two-thirds of the corporators and filing with the Auditor of Public Accounts the declaration mentioned in section ten of this act, and signed by a majority of the directors of the company. No extra charge shall be required by the Auditor for the filing of any papers required by this section."

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, to-wit:

Senate bill, No. 141, for "An act to amend section 132 of an act entitled 'an act in regard to elections, and to provide for filling vacancies in elective offices,' approved April 3, 1872."

Senate bill, No. 291, for "An act to revise the law in relation to replevin."

Senate bill, No. 317, for "An act to revise the law in relation to the partition of real estate."

Senate bill, No. 438, for "An act to repeal an act entitled 'an act to provide for the election of additional supervisors in the county therein named.'"

Senate bill, No. 446, for "An act to fix the terms of the courts of Cook county."

Senate bill, No. 510, for "An act to amend section 91 of an act entitled 'an act in regard to the administration of estates,' approved April 1, 1872."

Senate bill, No. 168, for "An act to encourage the planting and growing of timber."

A message from the House of Representatives, by Mr. Magie :

Mr. President : I am directed to inform the Senate that the House of Representatives has concurred with them in their amendment to the following resolution, to-wit :

*Resolved by the House of Representatives, the Senate concurring herein, That the joint committee on State institutions be and hereby are authorized to employ a clerk.*

Mr. Crews offered the following amendment, which was lost :

Amend by striking out the enacting clause of the bill.

Mr. Whiting offered the following amendment, which was adopted :

Amend section 1 by striking out "ten," in line 4, and insert "six."

Mr. Kelly offered the following amendment, which was lost :

Amend section 8, line 4, after the word "risk," by inserting "and no property shall be insured beyond its actual cash value."

Mr. Thompson offered the following amendment, which was adopted :

Amend section 2, by adding : "*Provided*, that such charters, so obtained, shall be subject to control of and modification by the General Assembly."

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 506, for "An act to extend to criminal cases the rights of parties defendant to give evidence in their own behalf," was taken up, and,

On motion of Mr. Sanford,

Laid on the table.

Senate bill, No. 499, for "An act to amend an act entitled 'an act to amend the statute relating to partitions,'"

Was taken up, read at large a second time, and,

On motion of Mr. Steele,

Laid on the table.

Senate bill, No. 505, for "An act to amend an act entitled 'an act to organize and regulate the business of life insurance,'"

Was taken up, read at large a second time, and ordered on file, to be considered by sections.

Senate bill, No. 504, for "An act to repeal an act entitled 'an act in regard to the assessment of property and the levy and collection of taxes by incorporated cities in this State,' approved April 15, 1873,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

Senate bill, No. 543, for "An act concerning covenants of warranty,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

Senate bill, No. 446, for "An act to amend an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all

town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' approved March 29, 1872,"

Was taken up, read at large a second time, and,

On motion of Mr. Sanford,

Referred to the committee on fees and salaries.

Senate bill, No. 489, for "An act in relation to the office of chancellor in universities of learning,"

Was taken up and read at large a second time, and ordered on file to be considered by sections.

Senate bill, No. 553, for "An act in relation to the members and officers of the General Assembly,"

Was taken up, read at large a second time, and,

On motion of Mr. Nicholson,

Referred to the committee on miscellany.

Senate bill, No. 530, for "An act making an appropriation to defray the actual expenses of the commissioners appointed by the Governor to urge the improvement of the Ohio river by the general government,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

Mr. Henry (by unanimous consent) called up House bill, No. 486, for "An act to restrict solitary confinement to certain cases in the Illinois State Penitentiary."

Which was read at large a second time, and ordered on file to be considered by sections, and,

On motion of Mr. Henry,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative.

Mr. Henry (by unanimous consent) called up House bill, No. 500, for "An act to amend section 14 of an act entitled 'an act to provide for the management of the Illinois State Penitentiary at Joliet.'"

Which was read at large a second time, and ordered on file to be considered by sections.

Mr. Cusey presented a petition from the county clerk of McLean county, relating to the revenue law; which, on his motion, was referred to the committee on revenue.

Mr. Strong (by unanimous consent), from the committee on printing, to which was referred Senate bill, No. 472, for "An act to revise the law in relation to State contracts," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

The bill was ordered on file for a second reading.

Senate bill, No. 472, for "An act to revise the law in relation to State contracts,"

Was taken up, read at large a second time, and,

On motion of Mr. Cummings,

The further consideration of the bill was postponed to and made the special order for Thursday, February 12, 1874, at 11 o'clock A.M., and the amendment ordered printed.

Mr. Cummings (by unanimous consent) offered the following resolution, which was laid over under the rule:

*Resolved*, That after Thursday, 12th inst., the introduction of bills shall be prohibited.

Mr. Crews (by unanimous consent) offered the following resolution, which was laid over under the rule:

*Resolved by the Senate, the House of Representatives concurring herein, That when the General Assembly shall adjourn on Thursday, the 12th inst., it stand adjourned until Tuesday noon thereafter.*

Mr. Hinchcliffe (by unanimous consent) presented a petition from the county treasurer of Cook county, relating to the revenue law; which, on his motion, was referred to the committee on revenue.

Mr. Steele (by unanimous consent) presented a petition from the treasurer of Cook county, relating to the revenue law; which, on his motion, was referred to the committee on revenue.

Mr. Cusey (by unanimous consent) introduced Senate bill, No. 562, for "An act to reimburse the endowment fund of the Illinois Industrial University, and to direct the application of such fund."

Which was ordered to a first reading, and,

On motion of Mr. Cusey,

The rules were suspended, and the bill was read at large a first time, and ordered to a second reading, and referred to the committee on appropriations.

On motion of Mr. Strong,

The Senate, at 5 o'clock P. M., adjourned.

TUESDAY, FEBRUARY 10, 1874—10 O'clock, A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Worrall.

The journal of yesterday was being read, when,

On motion of Mr. Hampton,

The further reading of the same was dispensed with.

Mr. Cummings moved to suspend the rules for the purpose of considering the resolution, offered on yesterday by Mr. Crews, providing for an adjournment.

And the question being, "Shall the rules be suspended for the purpose of considering the resolution?" and the yeas and nays being demanded, it was decided in the negative by the following vote, two-thirds not voting in the affirmative:

Those voting in the affirmative are,

Messrs. Burke, Crews, Cummings, Cusey, Hampton, Hundley, Kelly, Nicholson, Reynolds, Shepard, Starnes, Strong, Thompson, Voria, Whiting, Wilcox, Williamson—17.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Castle, Cunningham, Ferrell, Glenn, Henry, Kehoe, Lee, Palmer, Sanford, Steele, Ware, Youngblood, Mr. President—15.

On motion of Mr. Cummings,

Leave of absence was granted Mr. Gundlach.

Mr. Kelly presented a petition from citizens of Adams county, relating to a certain law; which, on his motion, was referred to the committee on counties and township organization.

Senate bill, No. 501, for "An act to amend an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the



counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' approved March 29, 1872,"

Was taken up, read at large a second time, and ordered to be considered by sections.

Senate bill, No. 416, for "An act to prohibit any State or county officers from receiving, holding or presenting free passes on any railroad running through or into the State of Illinois," was taken up, and,

On motion of Mr. Sanford,

Indefinitely postponed.

Senate bill, No. 483, for "An act to repeal certain acts therein named," was taken up, and,

On motion of Mr. Steele,

Postponed to and made the special order for Friday, February 13th, 1874, at 10 o'clock A. M.

By unanimous consent, Mr. Donahue called up House bill, No. 231, for "An act to limit and determine the time for which counties, cities, townships, towns and precincts, in this State, shall be liable and holden to issue aid for the building of any railroad in pursuance of any vote taken in conformity to the laws of this State," which was in the order of consideration by sections.

The President, at 10:30 o'clock A. M. announced the time for the special order, being the consideration of House bill, No. 463, for "An act to promote the science of medicine and surgery in the State of Illinois."

On motion of Mr. Cummings,

The consideration of the special order was postponed until the bill under consideration is disposed of.

On motion of Mr. Nicholson,

The previous question was ordered.

The pending question being, "Shall the Senate adopt the amendment reported from the committee on railroads, January 28th?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Cusey, Donahue, Glenn, Kehoe, Kelly—5.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brown, Burke, Castle, Crews, Cummings, Cunningham, Hampton, Hitchcliff, Hundley, Jacobs, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Strong, Thompson, Walte, Warren, Wilcox, Williamson, Youngblood, Mr. President—36.

Section 1 of the bill was adopted.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative.

On motion of Mr. Donahue,

The rules were suspended, and House bill, No. 231, for "An act to limit and determine the time for which counties, cities, townships, towns and precincts in this State shall be liable and holden to issue aid for the building of any railroad in pursuance of any vote taken in conformity to the laws of this State," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 5.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brown, Burke, Canfield, Castle, Crews, Cunningham, Cusey, Glenn, Hampton, Henry, Hincheliff, Jacobs, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Strong, Thompson, Ware, Warren, Whiting, Wilcox, Williamson, Youngblood, Mr. President—29.

Those voting in the negative are,

Messrs. Donahue, Kehoe, Kelly, Lee, Waite—5.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Ware, from the joint committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and on the 10th day of February, A. D. 1874, laid before the Governor for his approval, viz :

Senate bill, No. 444, for "An act to revise the law in relation to circuit courts and the superior court of Cook county."

Mr. Ware, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed, viz :

Senate bill, No. 359, for "An act to revise the law in regard to estrays."

Senate bill, No. 459, for "An act to revise the law in relation to mines."

Senate bill, No. 420, for "An act to provide for the organization of county fire insurance companies."

Senate bill, No. 474, for "An act to revise the law in relation to county surveyors and the custody of the United States field notes."

Senate bill, No. 481, for "An act to revise the law in relation to toll roads."

Senate bill, No. 492, for "An act in regard to horse and dummy railroads."

Senate bill, No. 528, for "An act to reimburse to the county of McLean the sum of four thousand eight hundred and fifty dollars in abatement of taxes for the year 1872."

The President announced the time for the special order, being the consideration of House bill, No. 463, for "An act to promote the science of medicine and surgery in the State of Illinois," which, having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 27, nays 12.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Canfield, Castle, Cunningham, Cusey, Hampton, Henry, Hincheliff, Hundley, Lee, Nicholson, Palmer, Reynolds, Sheldon, Shepard, Steele, Strong, Thompson, Warren, Whiting, Wilcox, Williamson, Youngblood, Mr. President—27.

Those voting in the negative are,

Messrs. Archer, Crews, Cummings, Donahue, Ferrell, Glenn, Jacobs, Kehoe, Kelly, Sanford, Sterne, Waite—12.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, to-wit:

Senate bill, No. 230, for "An act to amend an act entitled 'an act in regard to practice in courts of record.'"

Senate bill, No. 400, for "An act to enable cemetery companies to sell and convey land not required for burial purposes."

Senate bill, No. 445, for "An act to revise the law in relation to the criminal court of Cook county."

Mr. Whiting (by unanimous consent) introduced Senate bill, No. 563, for "An act to investigate the alleged overflow of lands by the dam across the Illinois river at Henry."

Which was ordered to a first reading, and,

On motion of Mr. Whiting,

The rules were suspended, and the bill was read at large a first time, and ordered to a second reading.

Senate bill, No. 584, for "An act to amend sections one hundred and forty (140) and one hundred and forty-one (141) of 'an act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872,"

Was taken up, read at large a first time, and ordered to a second reading.

Senate bill, No. 560, for "An act to protect colored children in their rights to attend public schools,"

Was taken up, read at large a first time, and ordered to a second reading.

Senate bill, No. 551, for "An act making an appropriation for the purchase of a site, and for the construction of buildings for the Illinois Institution for the education of Feeble-minded Children,"

Was taken up, read at large a first time, and ordered to a second reading.

The President made the following appointments :

I hereby appoint, as the committee to examine into the affairs of the Soldiers' Orphans' Home, at Normal, Ill., Senators Reynolds, Jacobs and Hundley.

The President announced the time for the special order, being the consideration of bills on second reading by sections.

On motion of Mr. Cummings,

The consideration of the special order was postponed for the day.

Senate bill, No. 552, for "An act to appropriate money for the purchase of furniture and bedding for the Soldiers' Orphans' Home,"

Was taken up, read at large a first time, and ordered to a second reading.

Senate bill, No. 436, for "An act extending the time for the collection of the taxes on the assessments for the year A. D. 1873, and delinquent and omitted taxes in the assessment books for said year," was taken up, and,

On motion of Mr. Cummings,

Laid on the table.

House bill, No. 203, for "An act to provide for fencing railroads, and to secure the safety of persons and property, their prompt transportation, the proper making up of trains, and the management and running of locomotive engines and cars," was taken up for a third reading, and,

On motion of Mr. Donahue,

The further consideration of the same was postponed to and made the special order for Wednesday, February 11, 1874, at 11 o'clock A. M.

House bill, No. 609, for "An act in regard to canal companies,"

Was taken up and read at large a second time.

And the question being, "Shall this bill be read a third time?" it was decided in the affirmative.

House bill, No. 644, for "An act to revise the law in relation to joint rights and obligations,"

Was taken up and read at large a second time.

And the question being, "Shall this bill be read a third time?" it was decided in the affirmative.

House bill, No. 646, for "An act to revise the law in relation to mandamus,"

Was taken up and read at large a second time.

Mr. Crews offered the following amendment, which was lost:

Strike out section 9.

The question being, "Shall the bill be read a third time?" it was decided in the affirmative.

House bill, No. 605, for "An act to revise the law in relation to apprentices,"

Was taken up and read at large a second time.

Mr. Crews offered the following amendment:

Strike out the word "sixteen," in line 2, section 1, and insert the word "fourteen."

Mr. Burke offered the following amendment to the amendment, which was lost:

Amend amendment by striking out the word "fourteen" and insert the word "twenty."

And the question being, "Shall the amendment be adopted?" and the yeas and being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Crews, Cummings, Henry, Hinchcliffe, Jacobs, Kehoe, Kelly, Lee, Nicholson, Reynolds, Starnes, Ware, Youngblood, Mr. President—15.

Those voting in the negative are,

Messrs. Baldwin, Cunningham, Cusey, Donahue, Glenn, Palmer, Sanford, Shepard, Steele, Thompson, Waite, Wilcox, Williamson—31.

Pending the consideration of the bill,

On motion of Mr Lee,

The Senate, at 12:15 o'clock P. M., adjourned until 2:30 o'clock P. M.

## TWO-THIRTY O'CLOCK P. M.

Senate met, pursuant to adjournment.

The consideration of House bill, No. 605, for "An act to revise the law in relation to apprentices," was resumed.

Mr. Reynolds moved to reconsider the vote whereby the following amendment was adopted:

Strike out the word "sixteen," in line 2, section 1, and insert the word "fourteen."

On motion of Mr. Cummings,

The further consideration of the pending bill was postponed until 3 o'clock, P. M., to-day.

House bill, No. 638, for "An act to revise the law in relation to county treasurer,"

Was taken up and read at large a second time.

Mr. Kehoe offered the following amendment, which was lost:

Amend section 7 by striking out, in line 2, the word "personal," and insert the words "by himself or deputy."

The question being, "Shall the bill be read a third time?" it was decided in the affirmative.

The President, at 3 o'clock, announced that the consideration of House bill, No. 605, for "An act to revise the law in relation to apprentices," was the order of business.

On motion of Mr. Cummings,

The consideration of the bill was postponed for half an hour.

House bill, No. 619 for "An act to revise the law in relation to the commitment and detention of lunatics,"

Was taken up and read at large a second time.

Mr. Canfield offered the following amendment, which was adopted:

Amend section 20 by inserting after the word "writ," in line 4, the following: "And if it shall appear that the superintendent has acted in bad faith or negligently."

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative, and

The amendment was ordered printed.

The President, at 3:30 o'clock P. M., announced the time for the consideration of House bill, No. 605, for "An act to revise the law in relation to apprentices."

The pending question being, "Shall the vote, whereby the amendment offered by Mr. Crews was adopted, be reconsidered?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Burke, Canfield, Castle, Cusey, Ferrell, Glenn, Hampton, Henry, Jacobs, Kelly, Lee, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Steele, Strong, Thompson, Waite, Warren, Whiting, Wilcox, Williamson—27.

Those voting in the negative are,

Messrs. Brooks, Crews, Cummings, Kehoe, Ware, Youngblood, Mr. President—7.

And the question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Crews, Kehoe, Nicholson, Ware, Youngblood, Mr. President—7.

Those voting in the negative are,

Messrs. Baldwin, Canfield, Cunningham, Cusey, Ferrell, Glenn, Hampton, Henry, Jacobs, Kelly, Palmer, Reynolds, Sheldon, Shepard, Steele, Strong, Thompson, Waite, Warren, Whiting, Wilcox, Williamson—22.

Mr. Kehoe offered the following amendment, which was lost:

Amend section 10, by adding after the word "apprentice," in line 3, the words "five dollars to buy."

Mr. Wilcox offered the following amendment, which was lost:

Amend section 11 by adding: "Any master who shall neglect or refuse to comply with the provisions of section 10 shall forfeit to such ward so refused or neglected the further sum of fifty dollars, to be awarded by any court of competent jurisdiction."

Mr. Kehoe offered the following amendment, which was lost:

Amend by striking out section 10.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative.

Mr. Cummings moved to suspend the rules for the purpose of taking up Senate resolutions.

And the question being, "Shall the rules be suspended?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Brown, Burke, Crews, Cummings, Glenn, Hampton, Henry, Hundley, Nicholson, Sheldon, Thompson, Voris, Warren, Williamson, Youngblood—17.

Those voting in the negative are,

Messrs. Archer, Baldwin, Castle, Cunningham, Cusey, Ferrell, Jacobs, Kehoe, Kelly, Lee, Palmers, Sanford, Steele, Strong, Waite, Ware, Whiting, Wilcox—18.

House bill, No. 621, for "An act to revise the law in relation to the construction of the statutes,"

Was taken up and read at large a second time.

Mr. Hampton offered the following amendment:

Amend by striking out line 8 of section 1.

And the question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Cummings, Cusey, Hampton, Jacobs, Kehoe, Kelly, Lee, Youngblood—8.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brooks, Brown, Canfield, Castle, Cunningham, Ferrell, Hundley, Nicholson, Palmer, Sheldon, Steele, Strong, Thompson, Waite, Ware, Williamson, Mr. President—19.

Mr. Canfield offered the following amendment, which was lost:

Amend section 1 by inserting in line 43, after the word "person," the following: "Or if some person by him thereunto lawfully authorized."

Mr. Steele offered the following amendment, which was adopted:

Amend section 1 by inserting in line 43, after the word "law," the words "to any official or public writing or bond required by law."

The question then being, "Shall the bill be read a third time?" it was decided in the affirmative, and

The amendment was ordered printed.

House bill, No. 604, for "An act to revise the law in relation to amendments and jeofails,"

Was taken up and read at large a second time.

Mr. Hampton offered the following amendment, which was lost:

Strike out section 11.

The question then being, "Shall the bill be read a third time?" it was decided in the affirmative.

House bill, No. 602, for "An act to revise the law in relation to the adoption of children,"

Was taken up and read at large a second time.

Mr. Steele offered the following amendment, which was adopted:

Amend section 3 by inserting in lines 1 and 2, after the word "or," the following words: "if either is insane or imprisoned in the penitentiary or."

The question then being, "Shall the bill be read a third time?" it was decided in the affirmative, and

The amendment was ordered printed.

Mr. Reynolds moved, to suspend the rules for the purpose of considering Senate resolutions.

The question being, "Shall the rules be suspended?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Crews, Cummings, Cusey, Glenn, Hampton, Henry, Hundley, Lee, Reynolds, Sheldon, Thompson, Ware, Williamson, Youngblood—14.

Those voting in the negative are,

Messrs. Archer, Brooks, Canfield, Castle, Cunningham, Ferrell, Hinchcliffe, Jacobs, Kehoe, Kelly, Nicholson, Palmer, Shepard, Steele, Strong, Waite, Mr President—17.

House bill, No. 620, for "An act to revise the law in relation to the common law,"

Was taken up and read at large a second time.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative.

Mr. Cummings moved to suspend the rules for the purpose of considering Senate resolutions.

The question being, "Shall the rules be suspended?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Crews, Cummings, Cunningham, Cusey, Glenn, Hundley, Kelly, Nicholson, Sheldon, Steele, Thompson, Ware, Williamson, Youngblood—15.

Those voting in the negative are,

Messrs. Baldwin, Burke, Canfield, Castle, Hampton, Henry, Hinchcliffe, Kehoe, Lee, Palmer, Sanford, Shepard, Starne, Strong, Waite, Wilcox—16.

Mr. Cummings, at 4:30 o'clock P. M., moved that the Senate adjourn.

And the question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Cummings, Hinchcliffe, Kehoe, Sanford, Starne, Ware, Youngblood—8.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Burke, Castle, Crews, Cunningham, Cusey, Ferrell, Glenn, Hampton, Henry, Hundley, Jacobs, Kelly, Nicholson, Palmer, Reynolds, Sheldon, Shepard, Steele, Strong, Thompson, Waite, Wilcox, Williamson—23.

House bill, No. 645, for "An act to revise the law in relation to limited partnerships," was taken up for a second reading.

Pending the consideration of which,

On motion of Mr. Sheldon,

The Senate, at 4:40 o'clock P. M., adjourned.

WEDNESDAY, FEBRUARY 11, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Worrall.

The journal of yesterday was being read, when,

On motion of Mr. Crews,

The further reading of the same was dispensed with.

The President presented a communication from State Farmers' Association, relating to the legislature; which was read and placed on file.

Mr. Crews (by unanimous consent) offered the following resolution:

*Resolved*, That the regular order of business be continued from day to day, commencing at the morning hour where it was left off the previous day, until such time as the entire order of business shall have been gone through with.

Mr. Crews moved to suspend the rules for the purpose of considering the resolution; which motion was decided in the negative, and

The resolution was laid over under the rule.

Mr. Williamson (by unanimous consent) introduced Senate bill, No. 564, for "An act providing for the better protection of persons owning grain stored in public warehouses of class A."

Which was ordered to a first reading, and to be printed.

Mr. Nicholson (by unanimous consent) from the committee on revenue, to which was referred Senate bill, No. 513, for "An act to amend section 24 of an act entitled 'an act for the assessment of property and for the levy and collection of taxes,'" reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading.

On motion of Mr. Nicholson,

The rules were suspended, and the bill was read at large a second time, and ordered on file to be considered by sections.

Mr. Hinchcliffe presented a petition relating to labor; which was referred to the committee on manufactures.

Mr. Sanford (by unanimous consent), from the committee on judiciary, to which was referred House bill, No. 720, for "An act concerning jurors and to repeal certain acts herein named," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file to be considered by sections.

The President announced, as the order of business, the consideration of House bill, No. 645, for "An act to revise the law in relation to limited partnerships."

On motion of Mr. Lee,

The further consideration of the bill was postponed for the purpose of considering House bill, No. 720, for "An act concerning jurors, and to repeal certain acts therein named," and,

On motion of Mr. Sanford,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

And the question being, "Shall this bill be read a third time?" it was decided in the affirmative.

On motion of Mr. Lee,

The rules were suspended, and House bill, No. 720, for "An act concerning jurors, and to repeal certain acts therein named," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 40, nays 3.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Canfield, Castle, Crews, Cummings, Cunningham, Cusey, Donahue, Ferrell, Glenn, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Sanford, Sheldon, Shepard, Sterne, Steele, Thompson, Upton, Voria, Waite, Ware, Warren, Whiting, Wilcox, Williamson, Yager, Youngblood, Mr. President—40.

Those voting in the negative are,

Messrs. Dow, Reynolds, Strong—3.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and having received a vote of two-thirds of the members elected, was declared passed.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

House bill, No. 645, for "An act to revise the law in relation to limited partnerships,"

Was taken up and read at large a second time.



Mr. Canfield offered the following amendment, which was adopted:

Amend section 16 by striking out the words "without the addition of the word company or any other general term," in lines 2 and 3.

The President, at 11 o'clock A. M., announced the time for the special order, being the consideration of House bill, No. 203, for "An act to provide for fencing railroads, and to secure the safety of persons and property, their prompt transportation, the proper making up of trains, and the management and running of locomotive engines and cars."

Mr. Cummings moved to recommit the bill to the committee on railroads.

And the question being, "Shall the bill be recommitted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Canfield, Cummings, Cunningham, Dow, Ferrell, Hampton, Hundley, Kelly, McGrath, Nicholson, Palmer, Sanford, Shepard, Voris, Ware, Warren, Whiting, Williamson, Yager, Youngblood—24.

Those voting in the negative are,

Messrs. Brown, Castle, Crews, Cusey, Donahue, Glenn, Henry, Jacobs, Kehoe, Reynolds, Sheldon, Starnes, Steele, Strong, Thompson, Upton, Waite, Wilcox—18.

The consideration of House bill, No. 645, for "An act to revise the law in relation to limited partnerships," was resumed.

Mr. Sanford offered the following amendment, which was lost:

Amend section 23, by striking out the words "except for money loaned by him to such partnership."

The question then being, "Shall the bill be read a third time?" it was decided in the affirmative, and the amendment ordered printed.

Mr. Brooks (by unanimous consent) called up his motion to reconsider the vote whereby Senate bill, No. 192, for "An act regulating the labor of the convicts of the penitentiary of the State," was lost.

And the question being, "Shall the vote whereby the bill was lost be reconsidered?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Canfield, Castle, Cummings, Cusey, Dow, Ferrell, Glenn, Hampton, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, McGrath, Palmer, Reynolds, Sheldon, Starnes, Steele, Strong, Thompson, Upton, Waite, Ware, Warren, Yager, Youngblood, Mr. President—32.

Messrs. Sanford and Shepard voted in the negative.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 26, nays 12.

Those voting in the affirmative are,

Messrs. Archer, Brooks, Brown, Burke, Canfield, Castle, Crews, Cummings, Cusey, Dow, Glenn, Hinchcliffe, Hundley, Kehoe, Kelly, McGrath, Palmer, Reynolds, Starnes, Steele, Thompson, Upton, Waite, Warren, Youngblood, Mr. President—26.

Those voting in the negative are,

Messrs. Baldwin, Donahue, Ferrell, Hampton, Henry, Jacobs, Nicholson, Sanford, Sheldon, Shepard Strong, Whiting—12.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 11th day of February, 1874, laid before the Governor for his approval, to-wit:

House bill, No. 622, for "An act to revise the law in relation to costs."

House bill, No. 109, for "An act to repeal section two (2) of an act entitled 'an act to authorize the city of Macomb to elect supervisors and other officers,' approved February 23, A. D. 1867."

Mr. Donahue (by unanimous consent), from the committee on railroads, to which was referred House bill, No. 203, for "An act to provide for fencing railroads, and to secure the safety of persons and property, their prompt transportation, the proper making up of trains, and the management and running of locomotive engines and cars," reported the same back with an amendment, and recommended its adoption, and that the bill, as amended, be passed.

The report of the committee was concurred in, and the amendment adopted.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative.

On motion of Mr. Donahue,

The rules were suspended, and House bill, No. 203, for "An act to provide for fencing railroads, and to secure the safety of persons and property, their prompt transportation, the proper making up of trains, and the management and running of locomotive engines and cars," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 39, nays 1.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Canfield, Castle, Crews, Cummings, Casey, Donahue, Dow, Ferrell, Glenn, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, McGrath, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Steele, Strong, Thompson, Upton, Voria, Ware, Warren, Whiting, Wilcox, Williamson, Youngblood, Mr. President—39.

Mr. Waite voted in the negative.

Mr. Strong offered the following amendment to the title of the bill, which was adopted :

Amend the title of the bill so that it shall read as follows: "A bill for an act in relation to fencing and operating railroads."

Ordered that the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed :

Senate bill, No. 450, for "An act to revise the law in relation to dower."

Senate bill, No. 455, for "An act to revise the law in relation to husband and wife."

Senate bill, No. 447, for "An act to revise the law in relation to county courts."

Senate bill, No. 478, for "An act to revise the law in relation to town ship insurance companies."

Senate bill, No. 549, for "An act to amend an act entitled 'an act concerning circuit courts, and to fix the times of holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook,' approved May 2, 1873."

A message from the Governor, by Philo J. Beveridge, Private Secretary :

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, to-wit :

House bill, No. 109, for "An act to repeal section 2 of an act entitled 'an act to authorize the city of Macomb to elect supervisors and other officers,' approved February 23, 1867."

House bill, No. 622, for "An act to revise the law in relation to costs."

On motion of Mr. Cummings,

The rules were suspended, and House bill, No. 522, for "An act authorizing the Trustees of the State Reform School to lease the labor of the inmates," having been printed, was read at large a third time.

Pending the consideration of the bill,

On motion of Mr. Sheldon,

The Senate, at 12:30 o'clock P. M., adjourned until 2:30 o'clock P. M.

## TWO-THIRTY O'CLOCK, P. M.

Senate met, pursuant to adjournment.

Mr. Thompson (by unanimous consent) called up Senate bill, No. 524, for "An act to provide for the laying of water supply pipe by bonds and special assessments, payable in installments," for consideration by sections.

The pending question being, "Shall the Senate adopt the amendments reported from the committee on municipalities?" it was decided in the affirmative.

All the sections of the bill were adopted.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. McGrath (by unanimous consent) called up Senate bill, No. 270, for "An act to authorize corporate authorities of any city in this State to establish and maintain gas works, and to purchase or lease gas works, and make additions thereto," for consideration by sections.

The pending question being, "Shall the Senate adopt the amendment reported from the committee on municipalities?"

Mr. McGrath offered the following amendment to the amendment reported from the committee, which was adopted:

Amend the report of the committee, by striking out the following:

Also, in 18th line in said section, after the word "law," insert "for the condemnation of private property for public use."

The report of the committee as amended was adopted.

Mr. Starne offered the following amendment, which was adopted:

Amend by striking out all after the word "established," in line 13, to and including the word "law," in line 14, section 1.

Mr. Kehoe offered the following amendment, which was adopted:

Amend section 1, by striking out the word "condemn," in 9th line.

Mr. Kehoe offered the following amendment, which was adopted:

Amend section 1, by inserting after the word "property," in 19th line, the words "and franchises."

Mr. McGrath offered the following amendment, which was adopted:

Amend section 1, after the word "belonging," in line 15, by inserting "or to make and enter into such contract or contracts with any gas company or gas light and coke company for a continuing supply of illuminating gas, in the streets, alleys, parks and public grounds and buildings of such city."

Mr. Crews offered the following amendment, which was lost:

Strike out the enacting clause.

All the sections of the bill were adopted.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

The consideration of Senate bill, No. 522, for "An act authorizing the Trustees of the State Reform School to lease the labor of the inmates," which was pending at the time of the adjournment this morning, was resumed.

Mr. Palmer moved to recommit the bill to the committee on reformatory institutions.

Mr. Youngblood moved to amend the motion by referring to the committee on judiciary; which was decided in the negative.

The question then being, "Shall the bill be recommitted to the committee on reformatory institutions?" it was decided in the affirmative.

House bill, No. 647, for "An act to revise the law in relation to names,"

Was taken up and read at large a second time.

Mr. Ware offered the following amendment, which was lost:

Section 1, strike out all after the word "petition," in line 10.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative.

House bill, No. 649, for "An act to revise the law in relation to oaths and affirmations,"

Was taken up and read at large a second time.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and on the 11th day of February, 1874, laid before the Governor for his approval, viz:

House bill, No. 720, for "An act concerning jurors and to repeal certain acts therein named."

House bill, No. 652, for "An act to revise the law in relation to the State Library,"

Was taken up and read at large a second time.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative.

Mr. Crews moved to suspend the rules, for the purpose of considering the resolution offered by him providing for an adjournment.

The question being, "Shall the rules be suspended to consider the resolution?" and the yeas and nays being demanded, it was decided in the negative by the following vote (two-thirds not voting in the affirmative):

Those voting in the affirmative are,

Messrs. Brooks, Brown, Burke, Crews, Cummings, Cusey, Donahue, Hampton, McGrath, Nicholson, Reynolds, Sanford, Sheldon, Shepard, Strong, Voria, Ware, Warren, Wilcox, Yager—30.

Those voting in the negative are,

Messrs. Archer, Baldwin, Canfield, Castle, Ferrell, Henry, Hinchcliffe, Kelly, Palmer, Steele, Waite, Williamson, Youngblood, Mr. President—15.

House bill, No. 651, for "An act to revise the law in relation to promissory notes, bonds, due bills, and other instruments in writing,"

Was taken up and read at large a second time, and,

On motion of Mr. Sanford,

The further consideration of the bill was postponed to and made the special order for Thursday, February 12, A. D. 1874, at 10 o'clock A. M.

Mr. Wilcox moved to suspend the rules for the purpose of receiving a report from a committee; which motion was decided in the negative.

House bill, No. 654, for "An act to amend an act entitled 'an act for

the assessment of property and for the levy and collection of taxes,' approved March 30, 1872," was taken up for a second reading, and,

On motion of Mr. Sanford,

Referred to the committee on revenue.

House bill, No. 522, for "An act to repeal an act entitled 'an act to establish a board of fire engineers and to reorganize the fire department in the city of Quincy,' approved February 16, 1865, and an act entitled 'an act to amend an act entitled an act to establish a board of fire engineers and to reorganize the fire department in the city of Quincy, Illinois,' approved February 18, 1867," was taken up for a second reading, and,

On motion of Mr. Cummings,

Referred to the committee on municipalities.

House bill, No. 655, for "An act to amend an act entitled 'an act concerning bail in civil cases,' approved January 22, 1872,"

Was taken up and read at large a second time.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative.

Mr. Hampton moved that when the Senate adjourn it stand adjourned until 7:30 o'clock, P. M., to-day.

The question being, "Shall the Senate, when it adjourns, stand adjourned until 7:30 o'clock P. M., and the yeas and nays being demanded, it was decided in the negative, by the following vote:

Those voting in the affirmative are,

Messrs. Cummings, Cusey, Hampton, Jacobs, Nicholson, Shepard, Thompson, Waite, Warren, Wilcox, Williamson—11.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Canfield, Castle, Crews, Donahue, Ferrell, Henry, Hinchcliffe, Kehoe, Kelly, Lee, McGrath, Palmer, Reynolds, Sanford, Sheldon, Starnes, Steele, Strong, Ware, Yager, Youngblood, Mr. President—27.

Mr. Yager, at 4:10 o'clock P. M., moved that the Senate adjourn.

And the question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Canfield, Castle, Donahue, Ferrell, Hinchcliffe, Lee, McGrath, Palmer, Sheldon, Wilcox, Yager—11.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Crews, Cummings, Cusey, Donahue, Hampton, Henry, Jacobs, Kehoe, Kelly, Nicholson, Reynolds, Sanford, Shepard, Starnes, Steele, Strong, Thompson, Waite, Ware, Warren, Williamson, Youngblood—26.

House bill, No. 433, for "An act to amend section 47 of an act entitled 'an act in regard to evidence and depositions in civil cases,' approved March 29, A. D. 1872," was taken up for a second reading, and,

On motion of Mr. Cummings,

Referred to the committee on judiciary.

House bill, No. 601, for "An act to revise the law in relation to abatement,"

Was taken up and read at large a second time, and,

Pending the consideration of the bill,

Mr. Canfield, at 4:25 o'clock P. M., moved to adjourn.

And the question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Burke, Canfield, Castle, Ferrell, McGrath, Palmer, Yager, Youngblood—10.

Those voting in the negative are,

Messrs. Archer, Brooks, Crews, Cummings, Cunningham, Cusey, Donahue, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, Nicholson, Reynolds, Sanford, Shepard, Starnes, Strong, Thompson, Voris, Waite, Ware, Wilcox, Williamson—27.

Mr. Lee offered the following amendment to the bill:

Amend by striking out section 2.

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Brooks, Brown, Glenn, Henry, Kehoe, Lee, Nicholson, Ware—9.

Those voting in the negative are,

Messrs. Baldwin, Crews, Cummings, Cunningham, Cusey, Donahue, Ferrell, Hampton, Hinchcliffe, Jacobs, Kelly, Palmer, Reynolds, Sanford, Sheldon, Shepard, Starnes, Strong, Thompson, Voris, Waite, Warren, Williamson, Yager, Youngblood—25.

Mr. Palmer, at 4:30 o'clock P. M., moved that the Senate adjourn.

And the question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brown, Canfield, Castle, Cunningham, Ferrell, Palmer, Starnes—7.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brooks, Crews, Cummings, Cusey, Donahue, Glenn, Henry, Jacobs, Kelly, Lee, Nicholson, Reynolds, Sanford, Shepard, Strong, Thompson, Voris, Ware, Warren, Wilcox, Yager, Youngblood—24.

And the question then being, "Shall the bill (House bill No. 601) be read a third time?" it was decided in the affirmative.

Mr. Ferrell, at 4:35 o'clock P. M., moved to adjourn.

And the question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brown, Canfield, Castle, Ferrell, Hinchcliffe, Kehoe, Lee, Palmer, Steele—9.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brooks, Crews, Cummings, Cunningham, Cusey, Donahue, Glenn, Hampton, Henry, Hundley, Jacobs, Kelly, Nicholson, Reynolds, Sanford, Shepard, Strong, Thompson, Voris, Waite, Ware, Warren, Williamson, Yager, Youngblood—27.

House bill, No. 608, for "An act to revise the law in relation to attorneys and counsellors."

Was taken up and read at large a second time.

Mr. Kelly offered the following amendment, which was lost:

Amend section 1 by adding, "providing no attorney shall be allowed to engage in any other business while he or she shall be engaged."

Mr. Hampton moved to postpone the further consideration of the bill until Saturday, February 14, A. D. 1874; which motion was decided in the negative.

Mr. Kehoe offered the following amendment, which was lost:

Add to section 1 the words "or color."

Mr. Crews offered the following amendment, which was lost:

Strike out all after the word "person," in line 5 of section 1.

Mr. Sanford offered the following amendment:

Amend by striking out the last clause of section 1.

The question being, "Shall the amendment be adopted?" and the

yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Brooks, Donahue, Ferrell, Kelly, Sanford, Starne, Thompson—8.

Those voting in the negative are,

Messrs. Baldwin, Castle, Crews, Cummings, Cunningham, Cusey, Dow, Glenn, Hampton, Hinchcliffe, Hundley, Jacobs, Kehoe, Lee, McGrath, Nicholson, Palmer, Reynolds, Shepard, Steele, Strong, Voria, Waite, Ware, Warren, Wilcox, Williamson, Yager, Youngblood—29.

Mr. McGrath offered the following amendment, which was lost:

Amend section 2 by striking out the words "a court of record of some county," and insert the words "some clergyman in good standing."

On motion of Mr. Thompson,

The bill was referred to the joint committee on revision.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed a bill of the following title, viz:

House bill, No. 720, for "An act concerning jurors, and to repeal certain acts herein named."

Mr. McGrath, from committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly engrossed:

Senate bill, No. 524, for "An act to provide for the laying of water-supply pipe by bonds and special assessments, payable in installments." Mr. Youngblood, at 5 o'clock P. M., moved to adjourn.

And the question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brown, Canfield, Castle, Cunningham, Cusey, Ferrell, Kehoe, Kelly, McGrath, Palmer, Sanford, Starne, Steele, Williamson, Youngblood—15.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brooks, Burke, Crews, Cummings, Donahue, Dow, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Nicholson, Reynolds, Sheldon, Shepard, Strong, Thompson, Voria, Waite, Yager—22.

Mr. Youngblood moved to take up executive messages; which motion was decided in the negative.

Mr. Williamson, at 5:05 o'clock P. M., moved to adjourn.

And the question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Brown, Canfield, Castle, Cusey, Ferrell, Glenn, Hinchcliffe, Hundley, Kehoe, Kelly, Palmer, Sanford, Starne, Steele, Strong, Williamson, Yager, Youngblood—19.

Those voting in the negative are,

Messrs. Archer, Baldwin, Burke, Crews, Cummings, Dow, Hampton, Henry, Jacobs, McGrath, Nicholson, Reynolds, Sheldon, Shepard, Voria, Waite, Wilcox—17.

THURSDAY, FEBRUARY 12, 1874—10 O'clock A. M.

The Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Worrall.

The journal of yesterday was being read, when,

On motion of Mr. Nicholson,

The further reading of the same was dispensed with.

On motion of Mr. Sanford,

Leave of absence was granted Mr. Hampton.

On motion of Mr. Cummings,

Leave of absence was granted Mr. Whiting.

Mr. Nicholson (by unanimous consent) called up the following message from the House of Representatives, for consideration :

WHEREAS a majority of the people of this State are looking to this General Assembly for relief from the present unjust revenue law : therefore, be it

Resolved by the House of Representatives, the Senate concurring herein, That a committee of five on the part of the House, and three on the part of the Senate, be appointed, the duty of which shall be to report a general revenue bill to the Senate and House as early as practicable.

Mr. Cummings offered the following amendment, which was adopted :

Amend by striking out the preamble.

And the question being, "Shall the Senate concur with the House of Representatives in the adoption of the resolution (as amended by the Senate)?" it was decided in the affirmative.

On motion of Mr. Voris,

The vote by which the Senate concurred in the adoption of the resolution as amended, was reconsidered.

Mr. McGrath offered the following amendment to the resolution :

Strike out all after the word "report," and insert "such amendments to the general revenue law as they may deem necessary."

On motion of Mr. Henry,

Debate on the pending amendment was ordered closed.

The question being, "Shall the amendment be adopted?" it was decided in the affirmative.

And the question being, "Shall the Senate concur in the adoption of the resolution, as amended?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Canfield, Casey, Castle, Crews, Dow, Glenn, Henry, Hinchcliffe, Kehoe, Lee, McGrath, Nicholson, Palmer, Reynolds, Steele, Upton, Waite, Williamson, Yager, Youngblood—24.

Those voting in the negative are,

Messrs. Archer, Cummings, Cunningham, Cusey, Donahue, Ferrell, Hundley, Jacobs, Kelly, Sanford, Sheldon, Shepard, Starnes, Strong, Voris, Ware, Warren, Wilcox—13.

A message from the House of Representatives, by Mr. Magie :

Mr. President : I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit :

Senate bill, No. 338, for "An act making an appropriation for the ordinary expenses of the Southern Normal University."

Mr. Baldwin (by unanimous consent), from the committee on education, to which was referred Senate bill, No. 521, for "An act to amend an act entitled 'an act to establish and maintain a system of free schools,' approved April 1st, 1872," reported the same back and recommended that it do not pass, and that it lie on the table.



The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Baldwin (by unanimous consent), from the committee on education, to which was referred Senate bill, No. 571, for "An act to enable district school organizations or other school organizations created by special or private laws to discontinue such organization and return to organization under the general school laws of the State," reported the same back and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Baldwin (by unanimous consent), from the committee on education, to which was referred Senate bill, No. 368, for "An act to amend an act entitled 'an act to establish and maintain a system of free schools,' approved April 1st, 1872," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

The bill was ordered on file to be considered by sections, and the amendments to be printed.

Mr. Wilcox (by unanimous consent), from the committee on state charitable and educational institutions, made the following report:

Your committee on state charitable and educational institutions, to whom was referred the following executive message appointing trustees for the Industrial University, report the same back, with the recommendation that the Senate do advise and consent to the nominations so made:

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 16, 1874.

*To the Honorable the Senate:*

I have the honor to advise the Senate that on the 1st day of July, A. D. 1873, in pursuance of an act entitled "An act to regulate the Illinois Industrial University, and to make appropriations therefor," in force July 1st, 1873, I did appoint as Trustees for the Illinois Industrial University, the following named persons, to-wit:

*For the Southern Grand Division*—A. M. Brown, of Villa Ridge, Pulaski county; J. P. Slade, Belleville, St. Clair county; John J. Bird, Cairo, Alexander county.

*For the Central Grand Division*—J. H. Pickrell, of Harristown, Macon county; Daniel Gardner, Champaign, Champaign county; Alexander Blackburn, Macomb, McDonough county.

*For the Northern Grand Division*—Emory Cobb, of Kaukaee, Kaukaee county; R. B. Mason, Chicago, Cook county; D. D. Sabine, Belvidere, Boone county.

And in these appointments I respectfully ask your concurrence.

JOHN L. BEVERIDGE,  
*Governor.*

By the Governor:

PHILO J. BEVERIDGE, *Private Sec'y.*

And the question being, "Does the Senate advise and consent to the nominations just made?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brown, Burke, Canfield, Crews, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Henry, Hinchcliffe, Jacobs, Kehoe, Lee, McGrath, Reynolds, Sheldon, Shepard, Sterne, Strong, Thompson, Waite, Ware, Warren, Wilcox, Williamson, Yager, Youngblood, Mr. President—33.

Messrs. Brooks and Casey voted in the negative.

Mr. Upton, (by unanimous consent,) from the joint committee on revision, to which was referred Senate bill, No. 449, for "An act to revise the law in relation to permitting animals to run at large," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

And the bill was ordered on file for a second reading.

Mr. Canfield, (by unanimous consent,) from the committee on municipalities, to which was referred Senate bill, No. 536, for "An act to amend 'an act to provide for the incorporation of cities and villages,' approved April, 1872," reported the same back without recommendation.

On motion of Mr. Donahue,

The bill was ordered on file for a second reading.

Mr. Canfield, (by unanimous consent,) from the committee on municipalities, to which was referred Senate bill, No. 67, for "An act to authorize the assessment, levy and collection of municipal taxes by incorporated cities, towns and villages," reported the same back and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 486, for "An act to repeal an act entitled 'an act to establish a court of common pleas in the city of Amboy,' approved March 11, 1869," with amendments thereto.

In the adoption of which amendments I am instructed to ask the concurrence of the Senate.

Mr. Canfield, (by unanimous consent,) from the committee on municipalities, to which was referred Senate bill, No. 62, for "An act to enable cities or incorporated towns to establish and maintain a fund for the benefit of police or firemen disabled in the discharge and performance of their duties," reported the same back, and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Canfield, (by unanimous consent,) from the committee on municipalities, to which was referred Senate bill, No. 409, for "An act to provide a fund for the relief of members of police and fire departments in incorporated cities who may be wounded and disabled while in the discharge of their duties, and for the relief of the surviving family of any member of said departments who may be killed while on duty," reported the same back, and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Canfield, (by unanimous consent,) from the committee on municipalities, introduced Senate bill, No. 565, for "An act to provide a fund for the relief of members of police and fire departments in incorporated cities wounded or disabled in the discharge of their duties, and for the relief of the surviving family of any member of said departments killed while on duty."

Which was ordered to a first reading.

Mr. Hundley (by unanimous consent) presented a preamble and resolutions from citizens of Pana, relating to the Southern Illinois Penitentiary; which was read, and, on his motion, referred to the committee on penal institutions.

Mr. Casey (by unanimous consent) offered the following preamble and resolution:

WHEREAS, the Twenty-fifth General Assembly of the State of Illinois, in view of the crowded condition of the penitentiary at Joliet, and for the purpose of relieving the same, and providing for the more economical management thereof, passed "An act to locate, construct and carry on the Illinois Southern Penitentiary," approved February 28, 1887, and appropriated the sum of \$150,000 to carry out the provisions of said act; and whereas the said law is in full force, but no commissioners have been appointed, as in said law provided, and believing that the establishment of said Southern Illinois Penitentiary would result in diminishing the expenses of the State, and in promoting the order and well being of the convicts, by thus providing separate departments for them during the time not employed in their daily vocations; therefore, be it

*Resolved by the Senate,* That the Governor be and is hereby respectfully requested to nominate and send to the Senate the names of five commissioners, as provided in said act, to carry into force and effect the provisions thereof: *Provided,* that the said penitentiary, when completed and ready for use and occupation, with capacity to accommodate the number of convicts contemplated in the said act, shall not cost to exceed the amount in said act appropriated.

On motion of Mr. Casey,

The rules were suspended, and the resolution was taken up for consideration.

On motion of Mr. Casey,

The preamble and resolution was referred to the committee on penal institutions.

Mr. Sanford, (by unanimous consent,) from the committee on judiciary, to which was referred Senate bill, No. 561, for "An act to amend section 3 of an act entitled 'an act concerning corporations,' approved April 18, 1872, in force July 1, 1872," reported the same back, and recommended that it do not pass.

On motion of Mr. Hinchcliffe,

The bill was ordered on file for a second reading.

Mr. Sanford, (by unanimous consent,) from the committee on judiciary, to which was referred Senate bill, No. 558, for "An act to amend section 20 of an act entitled 'an act concerning conveyances,' approved March 29, 1872," reported the same back, and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for consideration by sections.

Mr. Sanford, (by unanimous consent,) from the committee on judiciary, to which was referred Senate bill, No. 537, for "An act to provide for the payment of the registered indebtedness of counties, townships, cities and towns," reported the same back, and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file to be considered by sections.

Mr. Sanford, (by unanimous consent,) from the committee on judiciary, to which was referred House bill, No. 433, for "An act to amend section 47 of an act entitled 'an act in regard to evidence and depositions in civil cases,' approved March 29, 1872," reported the same back, and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 12th day of February, 1874, laid before the Governor for his approval, viz:

House bill, No. 537, for "An act to repeal an act entitled 'an act to attach a portion of town nineteen north, range twelve west, to

town eighteen north, range twelve west, in Vermilion county. State of Illinois," approved February 21, 1859."

House bill, No. 721, for "An act in regard to assessors and collectors in certain incorporated cities, and to extend the time for the assessment and collection of the county and State taxes therein, for the year A. D. 1873."

House bill, No. 651, for "An act to revise the law in relation to promissory notes, bonds, due bills and other instruments in writing," was taken up for consideration, being the special order.

Mr. Jacobs offered the following amendment, which was lost :

Strike out section 8.

Mr. Kelly offered the following amendment, which was lost :

Strike out of section 9 all after the word "case," in line 9.

Mr. Sanford offered the following amendment, which was adopted :

Amend section 12, line 2, by inserting after the words "assigned to," the words "or transferred by delivering to."

Mr. Archer offered the following amendment, which was lost :

Strike out section 14.

Mr. Brown offered the following amendment, which was adopted :

Amend section 14 by adding after the word "he," in line 4, the following: "may, in the discretion of the court, be required to," and by striking out the word "shall," in same line.

The question then being, "Shall this bill be read a third time?" it was decided in the affirmative, and

The amendments were ordered printed.

Mr. McGrath, from joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 12th day of February, 1874, laid before the Governor for his approval, viz :

Senate bill, No. 230, for "An act to amend an act entitled 'an act in regard to practice in courts of record.'"

Senate bill, No. 400, for "An act to enable cemetery companies to sell and convey land not required for burial purposes."

Senate bill, No. 445, for "An act to revise the law in relation to the criminal court of Cook county."

Mr. McGrath, from committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly engrossed :

Senate bill, No. 270, for "An act to authorize the corporate authorities of any city in this State to establish and maintain gas works, and to purchase or lease gas works and make additions thereto."

Mr. Glenn (by unanimous consent) called up Senate bill, No. 566, for "An act to provide for the election of a board of commissioners of public charities, and to prescribe their duties."

Which was ordered to a first reading.

Senate bill, No. 359, for "An act to revise the law in regard to estreats," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 32, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Casey, Castle, Cummings, Cunningham, Cusey, Donahue, Ferrell, Glenn, Henry, Hundley, Kehoe, Kelly, Lee, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Starne, Steele, Strong, Upton, Voris, Waite, Ware, Warren, Yager, Youngblood, Mr. President—32.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 450, for "An act to revise the law in relation to dower," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 35, nays 2.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Casey, Castle, Cummings, Cunningham, Cusey, Donahoe, Dow, Ferrell, Glenn, Henry, Hinchcliffe, Jacobs, Kehoe, Kelly, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Sterne, Steele, Stroug, Upton, Voris, Ware, Warren, Wilcox, Williamson, Yager, Youngblood, Mr. President—35.

Messrs. Archer and Waite voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Cummings, at 12:15 o'clock P. M., moved to adjourn until 2:30 o'clock P. M.

Mr. Reynolds moved that the Senate adjourn.

And the question being, "Shall the Senate adjourn?" it was decided in the affirmative.

FRIDAY, FEBRUARY 13, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Worrall.

The journal of yesterday was being read, when,

On motion of Mr. Henry,

The further reading of the same was dispensed with.

Mr. Palmer entered a motion to reconsider the vote whereby the Senate concurred with the House of Representatives in the adoption of the following resolution, as amended by the Senate:

WHEREAS a majority of the people of this State are looking to this General Assembly for relief from the present unjust revenue law; therefore, be it

Resolved by the House of Representatives, the Senate concurring herein, That a committee of five on the part of the House, and three on the part of the Senate, be appointed, the duty of which shall be to report a general revenue bill to the Senate and House as early as practicable.

Amend by striking out the preamble.

Also amend as follows: Strike out all after the word "report," and insert "such amendments to the general revenue law as they may deem necessary."

Mr. Palmer (by unanimous consent) called up the following message from the House of Representatives:

WHEREAS the General Assembly has undertaken to complete the revision of the Statutes begun by the 27th General Assembly; and whereas numerous amendments to the revenue laws of 1871-72 have been made by this Assembly, and various bills and resolutions proposing further material changes in said law have been introduced into both houses of this Assembly, and are now pending before said committee; and whereas it is especially desirable, in view of said revision, that the Statutes upon the different subjects embraced therein shall be as compact, concise and clear as possible; therefore,

Resolved by the House, the Senate concurring herein, That the revenue committee of the House and of the Senate be and are hereby instructed to jointly prepare a bill revising and consolidating all the various acts now in force on the subject of revenue, embodying therein so much of the matter of the various bills and resolutions now pending before them, and such other provisions, as in their judgment may be advisable; and that they report said joint bill to their respective houses at the earliest practicable moment.

Mr. Sanford offered the following amendment, which was adopted:

Amend by striking out all after the word "prepare," in line 4 of the resolution, and insert the following: "And report to their respective houses, by bill, such amendments to the present revenue law as, in their judgment, are necessary and advisable."

The question being, "Shall the Senate concur in the adoption of the resolution, as amended?" it was decided in the affirmative.

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has adopted the following resolution, to-wit :

*Resolved by the House of Representatives, the Senate concurring herein, That the Secretary of State be requested to cause a sufficient number of copies of the "Act concerning jurors," to be printed, to furnish each court of record in this State one copy, and that he forward the same to the clerks thereof.*

In the adoption of which I am instructed to ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in amendments to bills of the following titles, to-wit :

House bill, No. 336, for "An act to amend section 2 of an act entitled 'an act in regard to practice in courts of record,' approved February 22, 1872."

House bill, No. 463, for "An act to promote the science of medicine and surgery in the State of Illinois."

House bill, No. 580, for "An act to provide for the removal of the monuments, tombstones and remains of certain members of the General Assembly of this State, who died and were buried at Vandalia, Illinois."

House bill, No. 231, for "An act to limit and determine the time for which counties, cities, townships, towns and precincts in this State shall be liable and holden to issue aid for the building of any railroad in pursuance of any vote taken in conformity to the laws of this State."

House bill, No. 467, for "An act to authorize the Trustees of the Illinois State Hospital for the Insane, at Jacksonville, to sell and convey one and one-half acres of land to the city of Jacksonville for public water works."

House bill, No. 648, for "An act to revise the law in relation to notices."

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 12th day of February, 1874, laid before the Governor for his approval, viz :

House bill, No. 580, for "An act to provide for the removal of the monuments, tombstones and remains of certain members of the General Assembly of this State, who died and were buried at Vandalia, Illinois."

House bill, No. 648, for "An act to revise the law in relation to notices."

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and on the 13th day of February, 1874, laid before the Governor for his approval, viz :

Senate bill, No. 338, for "An act making an appropriation for the ordinary expenses of the Southern Normal University."

A message from the Governor, by Philo J. Beveridge, Private Secretary :

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, to-wit :

Senate bill, No. 445, for "An act to revise the law in relation to the criminal court of Cook county."

House bill, No. 537, for "An act to repeal an act entitled 'an act to attach a portion of town nineteen north, range twelve west, to town

eighteen north, range twelve west, in Vermilion county, State of Illinois,' approved February 21, 1859."

Senate bill, No. 230, for "An act to amend an act entitled 'an act in regard to practice in courts of record.'"

Senate bill, No. 400, for "An act to enable cemetery companies to sell and convey land not required for burial purposes."

House bill, No. 721, for "An act in regard to the assessors and collectors in certain incorporated cities, and to extend the time for the assessment and collection of the county and State taxes therein for the year A. D. 1873."

Mr. Sheldon (by unanimous consent) called up the following message from the House of Representatives:

*Resolved by the House of Representatives, the Senate concurring herein.* That the Secretary of State be requested to cause a sufficient number of copies of the "Act concerning jurors," to be printed, to furnish each court of record in this State one copy, and that he forward the same to the clerks thereof.

The question being, "Shall the Senate concur with the House of Representatives in the adoption of the resolution?" it was decided in the affirmative.

Mr. Jacobs (by unanimous consent) called up Senate bill, No. 467, for "An act to revise the law in relation to paupers," and, on his motion, the bill was recommitted to the joint committee on revision.

Senate bill, No. 454, for "An act to revise the law in relation to *habeas corpus*," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 35, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Casey, Castle, Donahue, Dow, Ferrell, Glenn, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, Palmer, Reynolds, Sanford, Sheldon, Starnes, Steele, Strong, Thompson, Upton, Voria, Walte, Ware, Warren, Wilcox, Williamson, Yager, Youngblood, Mr. President—35.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 468, for "An act to revise the law in relation to *quo warranto*," having been printed, was taken up and read at large a third time.

On motion of Mr. Steele,

The bill was recommitted to the committee on enrolled and engrossed bills.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 360, for "An act in regard to forcible entry and detainer,"

With an amendment thereto.

In the adoption of which amendment I am instructed to ask the concurrence of the Senate.

Senate bill, No. 456, for "An act to revise the law in relation to *injunction*," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 32, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Canfield, Casey, Castle, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, Nicholson, Palmer, Sanford, Sheldon, Starnes, Strong, Thompson, Upton, Walte, Ware, Warren, Wilcox, Williamson, Mr. President—32.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Donahue (by unanimous consent), from the committee on railroads, to which was referred Senate bill, No. 432, for "An act to enable certain railroad corporations to change their termini," reported the same back, without recommendation.

On motion of Mr. Brooks,

The bill was ordered on file for a second reading.

Mr. Waite (by unanimous consent) introduced Senate bill, No. 567, for "An act to amend 'an act to provide for changing the names, for changing the places of business, or increasing or decreasing the capital stock, for increasing or decreasing the number of directors, and for the consolidation of incorporated companies.'"

Which was ordered to a first reading, and,

On motion of Mr. Waite,

Referred to the committee on railroads.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, to-wit:

House bill, No. 580, for "An act to provide for the removal of the monument, tombstones and remains of certain members of the General Assembly of this State, who died and were buried at Vandalia, Illinois."

House bill, No. 648, for "An act to revise the law in relation to notices."

Senate bill, No. 338, for "An act making an appropriation for the ordinary expenses of the Southern Normal University."

Senate bill, No. 465, for "An act to revise the law in relation to State militia," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 26, nays 7.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Canfield, Castle, Cunningham, Dow, Glenn, Hincheliffe, Hundley, Jacobs, Kehoe, Lee, McGrath, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Steele, Strong, Thompson, Upton, Ware, Warren, Williamson, Mr. President—26.

Those voting in the negative are,

Messrs. Archer, Burke, Casey, Kelly, Starne, Yager, Youngblood—7.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 466, for "An act to revise the law in relation to pardons," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 30, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Canfield, Casey, Castle, Cunningham, Dow, Glenn, Henry, Hincheliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, Palmer, Reynolds, Sanford, Sheldon, Starne, Thompson, Upton, Waite, Ware, Warren, Williamson, Youngblood, Mr. President—30.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 462, for "An act to revise the law in relation to toll bridges," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 30, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Canfield, Casey, Castle, Cunningham, Casey, Ferrell, Glenn, Henry, Hincheliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Palmer, Reynolds, Sanford, Starne, Strong, Thompson, Upton, Waite, Ware, Warren, Mr. President—30.



Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 479, for "An act to revise the law in relation to universities, colleges, academies, and other institutions of learning," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 1.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Canfield, Casey, Castle, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, Palmer, Reynolds, Starnes, Strong, Thompson, Upton, Ware, Warren, Williamson, Youngblood, Mr. President—29.

Mr. Waite voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of bills of the following titles, to-wit:

Senate bill, No. 451, for "An act to revise the law in relation to frauds and perjuries."

Senate bill, No. 452, for "An act to revise the law in relation to fugitives from justice."

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly engrossed:

Senate bill, No. 468, for "An act to revise the law in relation to quo warranto."

On motion of Mr. Steele,

The bill was recommitted to the joint committee on revision.

Senate bill, No. 480, for "An act to revise the law in relation to the vacation of streets, alleys and public grounds," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 27, nays 1.

Those voting in the affirmative are,

Messrs. Archer, Brooks, Burke, Canfield, Castle, Cunningham, Cusey, Dow, Ferrell, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Palmer, Reynolds, Sanford, Starnes, Steele, Thompson, Upton, Ware, Warren, Williamson, Mr. President—27.

Mr. Waite voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Cunningham,

Leave of absence was granted Mr. Crews.

On motion of Mr. Ferrell,

The Senate, at 12:15 o'clock P. M., adjourned to 2:30 o'clock P. M.

## TWO-THIRTY O'CLOCK P. M.

Senate met, pursuant to adjournment.

Mr. Upton (by unanimous consent), from the joint committee on revision, to which was referred House bill, No. 188, for "An act to protect persons pledging personal property as collateral security for loans of

money in the State of Illinois," reported the same back, and recommended that it do not pass and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Upton (by unanimous consent), from the joint committee on revision, to which was referred House bill, No. 310, for "An act to provide for the sale of unclaimed property by common carriers, warehousemen and innkeepers," reported the same back and recommended that it do not pass and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Upton (by unanimous consent), from the joint committee on revision, to which was referred House bill, No. 608, for "An act to revise the law in relation to attorneys and counselors," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

And the bill was ordered on file and the amendments ordered printed.

Mr. Upton (by unanimous consent), from the joint committee on revision, to which was referred Senate bill, No. 315, for "An act to revise the law in relation to mortgage of real and personal property," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

And the bill was ordered on file.

Mr. Waite (by unanimous consent) introduced Senate bill, No. 568, for "An act to authorize the county board to add to and disconnect territory to and from cities, towns and villages."

Which was ordered to a first reading, and,

On motion of Mr. Waite,

Referred to committee on counties and township organization.

Mr. McGrath (by unanimous consent) introduced Senate bill, No. 569, for "An act to regulate the management and control of public parks and public grounds in the several counties, cities and towns of this State."

Which was ordered to a first reading, and,

On motion of Mr. McGrath,

The rules were suspended, and the bill was read at large a first time and ordered to a second reading, and referred to the committee on municipalities.

Mr. Ware (by unanimous consent) introduced Senate bill, No. 570, for "An act to amend section forty-eight (48) of an act entitled 'An act in regard to practice in courts of record,' approved February 22, 1872."

Which was ordered to a first reading.

On motion of Mr. Ware,

The rules were suspended, and the bill was read at large a first time, and ordered to a second reading and referred to the committee on judiciary.

Mr. Steele (by unanimous consent), from the joint committee on revision, to which was referred Senate bill, No. 468, for "An act to revise the law in relation to quo warranto," reported the same back with amendment and recommended its adoption, and that the bill as amended be passed.

The report of the committee was concurred in, the amendment adopted, and the bill was ordered to be engrossed and printed for a third reading.

Mr. Dow (by unanimous consent) called up House bill, No. 737, for "An act to provide for fees of certain officers therein named in counties of the third class."

Which was read at large a second time, and ordered on file to be considered by sections, and,

By unanimous consent, the bill was discharged from the order of consideration by sections.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative.

Senate bill, No. 482, for "An act to revise the law in relation to weights and measures," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 28, nays 1.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Casey, Castle, Cunningham, Cusey, Dow, Ferrell, Henry, Hinchcliffe, Kehoe, Kelly, Lee, Palmer, Reynolds, Sanford, Steele, Strong, Thompson, Upton, Ware, Warren, Williamson, Yager, Mr. President—28.

Mr. Starne voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has adopted the following resolution, to-wit:

WHEREAS, the constitution of the United States makes it the duty of Congress to regulate commerce between the states; and whereas, the House of Representatives of this State did, on the 16th day of January, A. D. 1873, adopt a resolution in substance as follows: "That our Senators in Congress be instructed, and our Representatives be requested, to use all lawful means to procure the passage of an act of Congress prohibiting all corporations or persons owning or operating inter-State lines of railroad from charging or receiving unreasonable rates for the transportation of freight, passengers and cars over their road, and from making unjust discrimination in such transportation," which resolution required the concurrence of the Senate, but has not yet been acted upon by that honorable body; therefore,

*Resolved by the House of Representatives, the Senate concurring herein,* That our Senators in Congress be instructed, and our Representatives be requested, to provide, by law, some mode of procedure for preventing any corporation or person or persons owning or using any inter-State line of railroad, from charging, demanding or receiving unreasonable or extortionate rates for the transportation of freight, passengers and cars over such line of railroad, and for preventing unjust discrimination in the rates charged for such transportation.

In the adoption of which I am instructed to ask the concurrence of the Senate.

By unanimous consent, the foregoing resolution from the House of Representatives was taken up for consideration, and,

On motion of Mr. Waite,

Was referred to the committee on railroads.

Mr. Sanford, (by unanimous consent,) from the committee on judiciary, to which was referred House bill, No. 306, for "An act to authorize courts of record in certain cases to order lands to be subdivided and platted," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

And the bill was ordered on file for a second reading.

Senate bill, No. 492, for "An act in regard to horse and dummy railroads," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 28, nays 1.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Casey, Castle, Cunningham, Cusey, Dow, Ferrell, Henry, Hinchcliffe, Jacobs, Kelly, Palmer, Reynolds, Starne, Steele, Strong, Thompson, Upton, Voris, Waite, Ware, Warren, Williamson, Yager, Mr. President—28.

Mr. Kehoe voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly engrossed:

Senate bill, No. 468, for "An act to revise the law in relation to quo warranto."

Senate bill, No. 468, for "An act to revise the law in relation to quo warranto," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 34, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Canfield, Casey, Castle, Cunningham, Cusey, Donahue, Dow, Ferrell, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Palmer, Reynolds, Steele, Strong, Thompson, Upton, Voria, Ware, Warren, Williamson, Yager, Youngblood, Mr. President—34.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 524, for "An act to provide for the laying of water supply pipe by bonds and special assessments payable in installments," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 35, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Canfield, Casey, Castle, Cunningham, Cusey, Dow, Ferrell, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Lee, McGrath, Palmer, Reynolds, Sanford, Sterne, Steele, Strong, Thompson, Upton, Voria, Waite, Ware, Warren, Williamson, Yager, Youngblood, Mr. President—35.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and having received a vote of two-thirds of the members elected, was declared passed.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 528, for "An act to reimburse to the county of McLean the sum of four thousand eight hundred and fifty dollars in abatement of taxes for the year 1872," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 34, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Canfield, Casey, Castle, Cunningham, Cusey, Dow, Ferrell, Henry, Hinchcliffe, Jacobs, Kehoe, Kelly, Lee, McGrath, Palmer, Reynolds, Sanford, Sterne, Steele, Strong, Thompson, Upton, Waite, Ware, Warren, Williamson, Yager, Youngblood, Mr. President—34.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and having received a vote of two-thirds of the members elected, was declared passed.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Canfield (by unanimous consent) called up the message from the House of Representatives, on Senate bill, No. 360, for "An act in regard to forcible entry and detainer."

The pending question being "Shall the Senate concur with the House of Representatives in the adoption of the following amendment?"

Add a section as follows:

"§ 22. Whereas there is great uncertainty as to some of the provisions of the law relating to cases of forcible entry and detainer, there-

fore an emergency is declared to exist, and this act shall take effect and be in force from and after its passage."

And it was decided in the affirmative, by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Canfield, Casey, Castle, Cunningham, Cusey, Dow, Ferrell, Henry, Handley, Jacobs, Kehoe, Kelly, Lee, McGrath, Palmer, Reynolds, Sanford, Starnes, Steele, Strong, Thompson, Upton, Voris, Waite, Ware, Warren, Williamson, Yager, Youngblood, Mr. President—35.

Senate bill, No. 474, for "An act to revise the law in relation to county surveyors and the custody of the United States field notes," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 26, nays 5.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Burke, Canfield, Castle, Cunningham, Cusey, Dow, Ferrell, Henry, Handley, McGrath, Palmer, Reynolds, Sanford, Starnes, Steele, Strong, Thompson, Upton, Waite, Warren, Williamson, Yager, Youngblood, Mr. President—26.

Those voting in the negative are,

Messrs. Brooks, Jacobs, Kehoe, Kelly, Ware—5.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 13th day of February, 1874, laid before the Governor for his approval, viz:

House bill, No. 467, for "An act to authorize the Trustees of the Illinois State Hospital for the Insane, at Jacksonville, to sell and convey one and one-half acres of land to the city of Jacksonville, for public water works."

House bill, No. 463, (substitute for H. B. No. 335) for "An act to promote the science of medicine and surgery in the State of Illinois."

House bill, No. 336, for "An act to amend section two (2) of an act entitled 'an act in regard to practice in courts of record,' approved February 22, 1872."

Senate bill, No. 420, for "An act to provide for the organization of county fire insurance companies,"

Was taken up, read at large a third time, and,

On motion of Mr. Burke,

The bill was recommitted to the committee on insurance.

Leave of absence was granted Mr. Jacobs until Tuesday.

Senate bill, No. 472, for "An act to revise the law in relation to State contracts," was taken up for consideration.

The question being, "Shall the Senate adopt the amendments reported from the committee on printing?" it was decided in the affirmative.

Mr. Cusey offered the following amendment, which was adopted:

Amend section 3, line 7, by inserting after the word "Cairo," the word "Bloomington."

Mr. Strong offered the following amendment, which was adopted:

Amend section 56, by inserting after the word "member," in line 8, the words "and each elective officer."

Mr. Strong offered the following amendment, which was adopted:

Amend section 57 by inserting after the word "representatives," in line 5, the words "and each elective officer of the General Assembly."

Mr. Steele offered the following amendment, which was adopted:

Amend section 3 by inserting after "Bloomington," in line 7, the word "Mattoon."

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

House bill, No. 433, for "An act to amend section 47 of an act entitled 'an act in regard to evidence and depositions in civil cases,' approved March 29, A. D. 1872,"

Was taken up and read at large a second time, and ordered on file to be considered by sections.

Mr. Archer, at 4:40 o'clock P. M., moved that the Senate adjourn.

And the question being, "Shall the Senate adjourn?" and the yeas nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Brooks, Brown, Burke, Canfield, Casey, Cunningham, Cusey, Hinchcliffe, Kehoe, Lee, Starnes, Steele, Thompson, Upton, Walte, Ware, Warren, Williamson, Yager, Youngblood—23.

Those voting in the negative are,

Messrs. Baldwin, Castle, Dow, Ferrell, Jacobs, Kelly, Strong, Voris, Mr. President—9.

SATURDAY, FEBRUARY 14, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by the Rev. Mr. Worrall.

The journal of yesterday was being read, when,

On motion of Mr. Kelly,

The further reading of the same was dispensed with.

Mr. Brown (by unanimous consent) introduced Senate bill, No. 571, for "An act to amend the 26th section of an act entitled 'an act to provide for the incorporation of associations that may be organized for the purpose of constructing railways, maintaining and operating the same, for prescribing and defining the duties and limiting the powers of such corporations when so organized,' approved March 1, 1872."

Which was ordered to a first reading.

By unanimous consent, the rules were suspended, and the bill was read at large a first time, ordered to a second reading, and,

On motion of Mr. Brown,

Referred to the committee on railroads.

Mr. Cunningham (by unanimous consent) introduced Senate bill, No. 572, for "An act to provide for the collection of delinquent taxes in counties which have recently adopted township organization."

Which was ordered to a first reading.

By unanimous consent, the rules were suspended, and the bill was read at large a first time, ordered to a second reading, and,

On motion of Mr. Cunningham,

Referred to the committee on revenue.

Mr. Baldwin (by unanimous consent), from the committee on education, to which was referred House bill, No. 562, for "An act to enable towns and villages in this State having commons to dispose of the same," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

And the bill was ordered on file for a second reading.

On motion of Mr. Lee,

Leave of absence was granted Mr. Henry.

By request of Mr. Sanford,

Leave of absence was granted Mr. Onsey.

Mr. Burke (by unanimous consent) introduced Senate bill, No. 573, for "An act to amend section 38 of an act entitled 'an act to provide for the election and qualification of justices of the peace and constables, and to provide for the jurisdiction and practice of justices of the peace in civil cases, and fix the duties of constables, and to repeal certain acts therein named,' approved April, 1872, in force July 1, 1872."

Which was ordered to a first reading.

By unanimous consent, the rules were suspended, and the bill was read at large a first time, and ordered to a second reading, and,

On motion of Mr. Burke,

Referred to the committee on judiciary.

By request of Mr. Palmer,

Leave of absence was granted Mr. Paddock until next Tuesday.

House bill, No. 306, for "An act to authorize courts of record in certain cases to order lands to be sub-divided and platted,"

Was taken up and read at large a second time.

And the question being, "Shall the Senate adopt the amendments reported by the committee on judiciary?" it was decided in the affirmative.

On motion of Mr. Sanford,

The bill was discharged from the order of consideration by sections.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, to-wit:

House bill, No. 685, for "An act to revise the law in relation to escheats."

House bill, No. 719, for "An act to enable cities and villages to establish and regulate cemeteries."

House bill, No. 641, for "An act to revise the law in relation to ferries."

In the adoption of which I am instructed to ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, to-wit:

House bill, No. 735, for "An act to amend section 40 of an act entitled 'an act in regard to practice in courts of record,' approved February 22, 1872."

House bill, No. 743, for "An act entitled 'an act to secure to clergymen of all denominations free access to the penitentiary at Joliet, and all other penal, reformatory and charitable institutions in the State of Illinois.'"

In the passage of which I am instructed to ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has refused to recede from their amendment to Senate bill, No. 279, for "An act to revise the law in relation to the Secretary of State,"

And they ask a committee of conference in relation thereto.

The Speaker has appointed as such committee, on the part of the House, Messrs. Connolly, Warner and Armstrong of Grundy.

Also, that the House of Representatives has receded from its amendment to Senate bill, No. 45, for "An act in regard to the dissolution of insurance companies."

House bill, No. 623, for "An act to revise the law in relation to counties,"

Was taken up, read at large a first time, and ordered to a second reading, and,

On motion of Mr. Burke,

Referred to the committee on county and township organization.

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, to-wit:

House bill, No. 808, for "An act to amend sections six (6), seven (7) and nine (9) of 'an act in regard to the completion of public parks and the management thereof,' approved June 16, 1871, and to add two (2) sections thereto."

In the passage of which I am instructed to ask the concurrence of the Senate.

Mr. Castle (by unanimous consent) introduced the following resolution, which laid over under the rule:

WHEREAS, the interests of the people of this State demand an increase in the volume of our currency; and whereas the National Banking Act, basing the currency upon United States bonds, is the best medium for giving the people currency: therefore,

Resolved by the Senate, the House concurring herein, That our Senators in Congress be instructed and our Representatives requested, as speedily as may be, to procure the passage a law authorizing free banking under the National Bank Act.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and, on the 14th day of February, 1874, laid before the Governor for his approval, to-wit:

Senate bill, No. 451, for "An act to revise the law in relation to frauds and perjuries."

Senate bill, No. 452, for "An act to revise the law in relation to fugitives from justice."

House bill, No. 653, for "An act to revise the law in relation to township organization,"

Was taken up, read at large a first time, and ordered to a second reading, and,

On motion of Mr. McGrath,

Referred to the committee on county and township organization.

Mr. Lee, at 11:40 o'clock A. M., moved that the Senate do now adjourn; which motion was decided in the negative.

House bill, No. 757, for "An act to amend section thirty-one (31) of 'an act concerning corporations,' in force July 1, 1872,"

Was taken up, read at large a first time, and ordered to a second reading.

House bill, No. 515, for "An act to amend an act entitled 'an act in relation to the penitentiary at Joliet, to be entitled 'an act to provide for the management of the Illinois State Penitentiary at Joliet,' approved January 16, 1871,'"

Was taken up, read at large a first time, and ordered to a second reading.

House bill, No. 641, for "An act to revise the law in relation to ferries."

Was taken up, read at large a first time, and ordered to a second reading.



House bill, No. 685, for "An act to revise the law in relation to escheats,"

Was taken up, read at large a first time, and ordered to a second reading.

House bill, No. 719, for "An act to enable cities and villages to establish and regulate cemeteries,"

Was taken up, read at large a first time, and ordered to a second reading, and,

On motion of Mr. Starne,

Referred to the committee on corporations.

House bill, No. 743, for "An act entitled 'an act to secure to clergymen of all denominations free access to the penitentiary at Joliet, and all other penal, reformatory and charitable institutions in the State of Illinois,'"

Was taken up, read at large a first time, and ordered to a second reading.

House bill, No. 735, for "An act to amend section 40 of an act entitled 'an act in regard to practice in courts of record,' approved February 22, 1872,"

Was taken up, read at large a first time, and ordered to a second reading.

House bill, No. 808, for "An act to amend sections six (6), seven (7) and nine (9) of an act entitled 'an act in regard to the completion of public parks, and the management thereof,' approved June 16, 1871, and to add two (2) sections thereto,"

Was taken up, read at large a first time, and ordered to a second reading, and,

On motion of Mr. McGrath,

Referred to the committee on municipalities.

On motion of Mr. Ferrell,

The Senate, at 11:55 o'clock A. M., adjourned.

### MONDAY, FEBRUARY 16, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by the Rev. Mr. McKee.

The journal of Saturday was being read, when,

On motion of Mr. Palmer,

The further reading of the same was dispensed with.

Mr. Kehoe (by unanimous consent) called up Senate bill, No. 565, for "An act to provide a fund for the relief of members of police and fire department in incorporated cities, wounded or disabled in the discharge of their duties, and for the relief of the surviving family of any member of said department killed while on duty,"

Which was read at large a first time, and ordered to a second reading.

Mr. Casey (by unanimous consent) introduced the following resolution, and, on his motion, the rules were suspended for the purpose of taking action on the same:

*Resolved by the Senate, the House of Representatives concurring herein, That our Senators in Congress be instructed, and our Representatives requested to use their influence to secure the passage of a law giving to officers in the late war pay from the date of their commissions to the time they were mustered into the service of the United States as such officers.*

On motion of Mr. Waite,

The foregoing resolution was referred to the committee on military affairs.

Mr. Hinchcliffe (by unanimous consent) called up House bill, No. 562, for "An act to enable towns and villages in this State having commons to dispose of the same,"

Which was read at large a second time, and ordered on file to be considered by sections, and ordered printed.

Mr. Upton (by unanimous consent) introduced Senate bill, No. 574, for "An act to establish the salary of the Secretary of the Railroad and Warehouse Commission."

Which was ordered to a first reading, and,

On motion of Mr. Upton,

Referred to the committee on fees and salaries.

Mr. Waite (by unanimous consent) called up Senate bill, No. 489, for "An act, in relation to the office of chancellor in universities of learning," for the purpose of recommitting the same to the committee on education, and

The bill was so referred.

Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," was taken up for a third reading.

On motion of Mr. Reynolds,

The following House resolution was concurred in by the Senate:

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has adopted the following resolution, to-wit:

*Resolved by the House of Representatives, the Senate concurring herein, That the Secretary of State and the Commissioners of Public Printing are respectfully instructed not to certify or approve any accounts for public printing or binding, and the Auditor of State is hereby instructed to draw no further warrants on the Treasurer for public printing or binding, until the House of Representatives has received and acted upon the report of the printing committee of the House, now investigating that subject under directions from the House.*

In the adoption of which I am instructed to ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, to-wit:

House bill, No. 788, for "An act to repeal an act entitled 'an act to vacate the plat of the western addition to Rock Island City,' and to restore the right thereby divested."

In the passage of which I am instructed to ask the concurrence of the Senate.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, to-wit:

Senate bill, No. 444, for "An act to revise the law in relation to circuit courts and the superior court of Cook county."

Senate bill, No. 451, for "An act to revise the law in relation to frauds and perjuries."

Senate bill, No. 452, for "An act to revise the law in relation to fugitives from justice."

House bill, No. 463, for "An act to promote the science of medicine and surgery in the State of Illinois."

House bill, No. 467, for "An act to authorize the Trustees of the Illinois State Hospital for the Insane, at Jacksonville, to sell and convey

one and one-half acres of land to the city of Jacksonville for public water works."

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and on the 16th day of February, 1874, laid before the Governor for his approval, viz:

Senate bill, No. 360, for "An act in regard to forcible entry and detainer."

On motion of Mr. Canfield,

The Senate, at 12:15 o'clock P. M., adjourned until 2:30 o'clock, P. M.

#### TWO-THIRTY O'CLOCK P. M.

Senate met, pursuant to adjournment.

The reading a third time of Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," was resumed.

Mr. Waite (by unanimous consent), from the committee on county and township organization, to which was referred House bill, No. 653, for "An act to revise the law in relation to township organization," reported the same back with an amendment, and recommended its adoption, and that the bill as amended be passed.

The amendment was ordered printed and the bill was ordered on file for a second reading.

A message from the Governor, by Philo J. Beveridge, Private Sec'y:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed a bill of the following title, viz:

Senate bill, No. 360, for "An act in regard to forcible entry and detainer."

The reading at large a third time of Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," was concluded, and,

On motion of Mr. Upton,

The further consideration of the same was postponed to and made the special order for Tuesday, February 17th, at 11 o'clock A. M.

Mr. Donahue (by unanimous consent) called up House bill, No. 757, for "An act to amend section thirty-one (31) of 'an act concerning corporations,' in force July 1, 1872."

Which was read at large a second time, and,

On motion of Mr. Donahue,

Referred to the committee on corporations.

Mr. Canfield (by unanimous consent), from the committee on municipalities, to which was referred House bill, No. 808, for "An act to amend sections six (6), seven (7) and nine (9), of an act entitled 'an act in regard to the completion of public parks and the management thereof,' approved June 16, 1871, and to add two (2) sections thereto," reported the same back and recommended its passage.

By unanimous consent, the rules were suspended, and the bill was read at large a second time and ordered on file for consideration by sections.

Mr. Baldwin (by unanimous consent), from the committee on education, to which was referred Senate bill, No. 489, for "An act in relation

to the office of chancellor in universities of learning," reported the same back with an amendment, and recommended its adoption, and that the bill as amended be passed.

The bill was ordered on file for consideration by sections, and the amendment ordered printed.

On motion of Mr. Ferrell,

The Senate, at 4:50 o'clock P. M., adjourned.

**TUESDAY, FEBRUARY 17, 1874—10 O'clock A. M.**

Senate met, pursuant to adjournment.

Prayer by the Rev. Mr. McKee.

The journal of yesterday was being read, when,

On motion of Mr. Kehoe,

The further reading of the same was dispensed with.

On motion of Mr. Steele,

Senate bill, No. 455, for "An act to revise the law in relation to husband and wife," was called up and made the special order for 3 o'clock, this P. M.

Mr. Youngblood presented a petition from citizens of Franklin county, asking for a repeal of the law creating the State Board of Equalization, and asked that it be referred to the committee on revenue.

The petition was so referred.

Mr. Patterson introduced a resolution, passed by Grange No. 18, P. of H., in regard to exempting actual indebtedness from taxation, and asked that it be referred to the committee on revenue.

The resolution was so referred.

Mr. Ferrell (by unanimous consent) called up executive messages.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 23, 1874.

*To the Honorable the Senate :*

I have the honor to advise the Senate that on the 15th of December, 1873, I made the following appointments :

William H. Whitehead, public administrator in and for McLean county, to fill a vacancy.

Peter H. Fleming, public administrator in and for Shelby county, to fill a vacancy.

In these appointments I respectfully ask your concurrence.

JOHN L. BEVERIDGE,  
*Governor.*

The question being, "Does the Senate advise and consent to the nominations just made?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Burke, Cunningham, Donahue, Dow, Ferrell, Glenn, Hinchcliffe, Hundley, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Upton, Walte, Ware, Warren, Williamson, Youngblood, Mr. President—28.

Messrs. Brooks and Casey voted in the negative.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, *January 23, 1874.*

*To the Honorable the Senate:*

I have the honor to nominate and appoint John C. White, public administrator in and for Effingham county, to fill a vacancy.

In this appointment I respectfully ask your concurrence.

JOHN L. BEVERIDGE,  
*Governor.*

The question being, "Does the Senate advise and consent to the nomination just made?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Canfield, Cummings, Cunningham, Donahue, Dow, Ferrell, Glenn, Hinchcliffe, Hundley, Kehoe, Kelly, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Upton, Waite, Ware, Warren, Williamson, Youngblood, Mr. President—28.

Messrs. Brooks and Casey voted in the negative.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, *February 6, 1874.*

*To the Honorable the Senate:*

I have the honor to nominate and appoint R. H. Mann, of Chester, to be public administrator in and for the county of Randolph; and respectfully ask your concurrence therein.

JOHN L. BEVERIDGE,  
*Governor.*

The question being, "Does the Senate advise and consent to the nomination just made?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Cunningham, Donahue, Ferrell, Glenn, Hinchcliffe, Hundley, Kehoe, Lee, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Upton, Voris, Waite, Ware, Warren, Williamson, Youngblood, Mr. President—27.

Mr. Brooks voted in the negative.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, *January 22, 1874.*

*To the Honorable the Senate:*

I have the honor to nominate and appoint William W. Carnes public administrator in and for Richland county, to fill a vacancy; and respectfully ask your concurrence therein.

JOHN L. BEVERIDGE,  
*Governor.*

The question being, "Does the Senate advise and consent to the nomination just made?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Canfield, Cunningham, Donahue, Dow, Ferrell, Hinchcliffe, Hundley, Kehoe, Kelly, Lee, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Upton, Waite, Ware, Warren, Williamson, Mr. President—26.

Messrs. Casey and Voris voted in the negative.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, *January 26, 1874.*

*To the Honorable the Senate:*

I have the honor to nominate and appoint Charles H. Denuett to be public administrator in and for DeWitt county, to fill a vacancy; and in this appointment respectfully ask your concurrence.

JOHN L. BEVERIDGE,  
*Governor.*

The question being, "Does the Senate advise and consent to the nomination just made?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Canfield, Donahue, Dow, Ferrell, Glenn, Hincholiffe, Hundley, Kahoe, Kelly, Lee, McGrath, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Voria, Waite, Warren, Williamson, Youngblood, Mr. President—37.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 21, 1874.

*To the Honorable the Senate:*

I have the honor to nominate and appoint George R. Maxon as public administrator in and for Fayette county, Illinois, to fill a vacancy; and respectfully ask your concurrence therein.

JOHN L. BEVERIDGE,  
Governor.

The question being, "Does the Senate advise and consent to the nomination just made?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Castle, Cunningham, Donahue, Dow, Ferrell, Glenn, Hincholiffe, Hundley, Kahoe, Kelly, Lee, McGrath, Nicholson, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Voria, Waite, Ware, Warren, Williamson, Youngblood, Mr. President—28.

Mr. Casey voted in the negative.

Mr. Waite (by unanimous consent), from the committee on county and township organization, to which was referred Senate bill, No. 520, for "An act to enable towns embraced within the limits of any incorporated village of not more than ten thousand inhabitants, which village is composed of two or more towns and covering an area of six square miles, to be separate and independent of and from such village incorporation," reported the same back and recommended that it do not pass and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Waite (by unanimous consent) introduced Senate bill, No. 575, for "An act to set off from incorporated towns certain territory which, by the county board, has been formed into a new town, or part thereof."

Which was ordered to a first reading.

On motion of Mr. Waite,

The rules were suspended, and the bill read at large a first time and ordered to a second reading.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has adopted the following memorial to Congress:

*To the Honorable the Senate and House of Representatives of the United States, in Congress assembled:*

Your memorialists, the People of the State of Illinois, represented in the General Assembly, do most respectfully represent to the Congress of the United States that the question of cheap transportation is agitating the people of the Northwest to an extent that has never been equalled. The advocates are not confined to any political party, but are a party of the people, the platform of which is cheap transportation for the products of the northwest to tide-water.

Your memorialists do further represent to the Congress of the United States that the increasing population and consequent enlarged production of tonnage of shipment to tide-water, admonish the nation to provide at an early day such cheap means of transporting the surplus products of the great West as will be remunerative to the producer.

Your memorialists are satisfied that increased water transportation between the east and west is the only means by which the laborer can be rewarded for his toil, and as a step in this direction is the continuation of the Illinois and Michigan canal from the Illinois river to the Mississippi river, your memorialists do most respectfully urge upon Congress the wisdom and justice of an appropriation sufficient for this improvement. The route has been surveyed and pronounced by competent engineers practicable and comparatively cheap in the cost of construction. It is, indeed, a link in the great plan of water transportation between the east and the west, before the country tributary to the Mississippi can find a water outlet by the way of the great lakes to tide-water.

Your memorialists do therefore most earnestly appeal to Congress to take early action in this improvement, to the end that the interests of the great grain-growing districts of the nation may be

fostered, the producer rewarded, and the manufacturing and other laboring masses of the east supplied at low prices with the abundance of life's necessities that cheap transportation can give them.

In the adoption of which memorial I am instructed to ask the concurrence of the Senate.

On motion of Mr. Baldwin,

The rules were suspended and the foregoing message from the House of Representatives was taken up.

The question being, "Shall the Senate concur in the adoption of the memorial?" it was decided in the affirmative.

House message on Senate bill, No. 279, for "An act to revise the law in relation to the Secretary of State," was taken up.

And the question being, "Will the Senate concur in the request of the the House, and order a committee of conference on the bill?"

On motion of Mr. Canfield,

A committee on conference was ordered.

Mr. Palmer moved to suspend the rules, for the purpose of considering bills of the House of Representatives on the order of third reading; which motion was decided in the negative.

The following message from the House of Representatives was taken up:

WHEREAS one Williams, a late convict in the State Penitentiary, recently came to a sudden and unnatural death, caused, as currently reported, by improper treatment by the officers of said penitentiary in whose charge he was; and, whereas, there are, also, charges and reports that the discipline and punishment of the convicts in said penitentiary are unreasonably severe, and even cruel; therefore,

*Resolved by the House of Representatives, the Senate concurring herein,* That a select committee of five, three from the House and two from the Senate, be appointed by the Speaker of the House and President of the Senate, respectively, to thoroughly investigate and inquire in regard to the treatment and cause of death of said Williams, and in regard to the discipline and punishment of said convicts; and that said committee have power to, visit said penitentiary and to send for persons, books and papers, and that it report to this General Assembly, with all convenient speed, the result of such investigation and inquiry.

With the following amendment:

"Said committee shall have power to, employ a competent short-hand reporter, and are directed to report in full all the testimony taken upon said investigation."

On motion of Mr. Reynolds,

The resolution was referred to the committee on judiciary.

House message on Senate bill, No. 173, for "An act to provide for registration in case of special elections," was taken up.

On motion of Mr. Canfield,

The bill was laid on the table.

House message on Senate bill, No. 486, for "An act to repeal an act entitled 'an act to establish a court of common pleas in the city of Albany,' approved March 11, 1869," was taken up.

And the question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments?"

The following amendments to said bill were adopted by the House, February 2, 1874:

In section 3 line 2, after the word "pleas," insert "except such records and papers as pertain to the issuing of marriage licenses and to marriage."

Amend section 6, line 4, by striking out the word "by" and insert "of."

Amend by inserting a section numbered "§ 7½. All records and papers on file in said court of common pleas, pertaining to the issuing of marriage licenses and to marriages, shall be transferred to the county clerk, and shall be by him filed and kept in his office; and copies thereof, when properly certified by said county clerk, may be read and used in evidence in any court of this State."

-It was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Canfield, Casey, Castle, Cunningham, Donahue, Dow, Ferrall, Glenn, Hinchcliffe, Hurdley, Jacobs, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Sterne, Steele, Strong, Upton, Voria, Waite, Ware, Warren, Williamson, Youngblood, Mr. President—37.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has adopted the following resolution, to-wit:

WHEREAS, all the railroad bridges across the Mississippi river are by law open to the use of all railroads desirous of using the same, except the railroad bridge at Clinton, Iowa, which is used exclusively by the Chicago and Northwestern Railroad; and whereas, there are two lines of railroad on the east side of the Mississippi river desirous of crossing said bridge at Clinton and connecting with other railroads in the State of Iowa, thereby increasing the facilities for inter-State commerce; therefore, be it

*Resolved by the General Assembly of the State of Illinois,* That our honorable Senators in Congress be instructed, and our Representatives be requested to use their utmost endeavors to obtain the early passage of an act providing for the opening of said railroad bridge at Clinton to the use of all railroads desirous of crossing the same, on payment of a just and reasonable compensation for such use.

*Resolved,* That the foregoing resolution be certified by the presiding officers of the General Assembly, and copies thereof be forthwith forwarded to said Senators and Representatives in Congress.

In the adoption of which I am instructed to ask the concurrence of the Senate.

A message from the Governor, by Philo J. Beveridge, Private Sec'y:

Mr. President: I am directed by the Governor to lay before the Senate the following written communication:

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, February 17, 1874.

*To the Honorable the Senate:*

I have the honor to transmit, herewith, a communication from the Hon. Wm. A. Richardson, Secretary of the Treasury, of date January 26, 1874, relative to the cession of jurisdiction by the State to the United States over all lands intended as sites for light houses and other aids to navigation; and respectfully recommend such action thereupon as you may deem necessary.

JOHN L. BEVERIDGE,  
*Governor.*

By the Governor:

PHILO J. BEVERIDGE, *Private Sec'y.*

TREASURY DEPARTMENT,  
WASHINGTON, D. C., January 26, 1874.

His Excellency, JOHN L. BEVERIDGE, *Governor of Illinois, Springfield, Ill.:*

Sir—I have the honor to call your attention to the 7th section of the act of Congress, passed May 15, 1820, (3 Stat. p. 600), providing "that no light-house, beacon nor landmark shall be built or erected on any site previous to the cession of jurisdiction over the same being made to the United States."

This law was passed in accordance with the 16th and 17th clauses of section 8 of article 1 of the constitution.

Under the impression that the General Government had jurisdiction over the navigable waters within the United States, and the land covered thereby, light-houses have from time to time been erected on submarine sites within the territorial limits of the States without procuring the cession of jurisdiction required by the act of May 15, 1820.

It is understood now that the States may have jurisdiction over lands covered by the navigable waters within their territorial limits. In order to cure the defect arising from the possible misapprehension referred to, and to provide for the present as well as the future, I have the honor to request, in the interests of commerce and navigation, that you will recommend to the Legislature of your State the passage of a general law ceding to the United States jurisdiction in all cases of sites of light houses and other aids to navigation built on submerged foundations, and, where the land under water is owned by the State, providing for the cession to the United States of the land also.

At the present time the light-house establishment has several appropriations for the construction of light-houses on submarine sites which cannot be used till jurisdiction over the sites shall have been ceded to the United States; and as the period for which many of these appropriations was made will expire on the first of July next, it is of the utmost importance to commerce that the legislative action asked for should be had at the earliest possible moment.

A form of a law which it is believed will cover all such cases, is herewith submitted for your consideration.

I am, sir, very respectfully, your obedient servant,

WM. A. RICHARDSON,  
*Secretary of the Treasury.*

The President, at 11 o'clock A. M., announced the time for the consideration of the special order, being Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence."



Mr. Hincheliffe moved to recommit the bill to the joint committee on revision, with instructions to strike out section 266.

After debate, at 12:15 o'clock P. M., Mr. McGrath moved that the Senate adjourn until 2:30 o'clock P. M.; which motion was decided in the negative.

The question being, "Shall the bill be recommitted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Hincheliffe, Kehoe, Kelly, McGrath, Voris—6.

Those voting in the negative are,

Messrs. Brown, Canfield, Casey, Castle, Cunningham, Donahue, Dow, Ferrell, Glenn, Hundley, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starnes, Steele, Strong, Upton, Waite, Ware, Warren, Williamson, Youngblood—26.

This bill having been printed and read at large a third time,

The question being, "Shall this bill pass?" it was decided in the affirmative—yeas 26, nays 7.

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Canfield, Casey, Castle, Cunningham, Donahue, Dow, Ferrell, Glenn, Hundley, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Starnes, Steele, Strong, Upton, Ware, Warren, Williamson, Youngblood, Mr. President—26.

Those voting in the negative are,

Messrs. Burke, Hincheliffe, Kehoe, Kelly, Shepard, Voris, Waite—7.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Sheldon,

The Senate, at 12:30 o'clock P. M., adjourned until 2:30 o'clock P. M.

## TWO-THIRTY O'CLOCK P. M.

The Senate met, pursuant to adjournment.

Mr. Voris called up the following resolution, offered by him on January 12, A. D. 1874:

WHEREAS, the general interests of the country demand the unconditional repeal of the National Banking Laws of the United States, thereby saving twenty-seven million dollars in gold, per annum, on the bonds held by the Secretary of the Treasury to secure the redemption of the National Bank currency, which is detrimental to the best interests of the country; whereas it is the duty of Congress to pass such laws as will enable the Secretary of the Treasury of the United States to issue legal tender notes sufficient to retire the National Bank currency; therefore, be it

Resolved by the Senate, the House of Representatives concurring, That our Senators are instructed and our Representatives in Congress requested to use their utmost endeavors to accomplish the unconditional repeal of the present National Banking System, and the passage of the necessary laws to enable the Secretary of the Treasury to issue legal tender notes sufficient to retire the National Bank currency of the United States.

Mr. Reynolds moved to refer the resolution to the committee on finance.

The question being, "Shall the resolution be referred?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Dow, Reynolds, Sanford, Shepard, Steele, Upton, Waite, Warren, Mr. President—10.

Those voting in the negative are,

Messrs. Brooks, Burke, Canfield, Casey, Castle, Cunningham, Hundley, Kehoe, Nicholson, Palmer, Patterson, Starnes, Voris, Ware, Williamson, Youngblood—16.

Mr. Reynolds moved to lay the resolution on the table.

And the question being, "Shall the resolution lie on the table?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Canfield, Cunningham, Cusey, Donahue, Dow, Nicholson, Patterson, Reynolds, Sanford, Shepard, Steele, Upton, Waite, Ware, Mr. President—15.

Those voting in the negative are,

Messrs. Archer, Brooks, Burke, Casey, Castle, Hundley, Kehoe, Sterne, Voris, Warren, Williamson, Youngblood—12.

Mr. Castle, from the committee on revenue, to which was referred Senate bill, No. 572, for "An act to provide for the collection of delinquent taxes in counties which have recently adopted township organization," reported the same back, and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

The President, at 3 o'clock P. M., announced the time for the special order, being the consideration of Senate bill, No. 455, for "An act to revise the law in relation to husband and wife."

On motion of Mr. Upton,

The further consideration of the special order was postponed until Wednesday, February 18, 1874, at 3 o'clock P. M.

Senate bill, No. 270, for "An act to authorize the corporate authorities of any city in this State to establish and maintain gas works, and to purchase or lease gas works, and make additions thereto," was taken up, and, having been printed, was read at large a third time.

On motion of Mr. Waite,

The further consideration of the bill was postponed to and made the special order for Thursday, February 19, 1874, at 11 o'clock A. M.

Mr. Reynolds moved to take up the executive message of to-day, transmitting a communication from Hon. W. A. Richardson, Secretary of the Treasury of the United States.

And the question being, "Shall the executive communication be taken up?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Castle, Dow, Ferrell, McGrath, Nicholson, Patterson, Reynolds, Sheldon, Steele, Strong, Waite, Ware, Warren, Williamson, Mr. President—15.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brooks, Casey, Donahue, Kehoe, Kelly, Palmer, Sterne, Voris, Youngblood—11.

On motion of Mr. Reynolds,

The message and accompanying communication was referred to the committee on federal relations.

Senate bill, No. 549, for "An act to amend an act entitled 'an act concerning circuit courts, and to fix the times for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook,' approved May 21, 1873," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 26, nays 1.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Casey, Dow, Ferrell, Hundley, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Sterne, Strong, Upton, Waite, Ware, Warren, Williamson, Mr. President—26.

Mr. Youngblood voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 481, for "An act to revise the law in relation to toll bridges," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 30, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Canfield, Casey, Castle, Donahue, Dow, Ferrell, Hundley, Kehoe, Kelly, McGrath, Nicholson, Patterson, Sanford, Sheldon, Shepard, Starne, Steele, Strong, Upton, Voris, Waite, Ware, Warren, Williamson, Youngblood, Mr. President—30.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 478, for "An act to revise the law in relation to township insurance companies," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 30, nays 5.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Canfield, Casey, Castle, Cunningham, Dow, Ferrell, Hinchcliffe, Hundley, Kehoe, Kelly, McGrath, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Steele, Strong, Upton, Voris, Waite, Ware, Warren, Williamson, Youngblood, Mr. President—30.

Those voting in the negative are,

Messrs. Brown, Donahue, Lee, Shepard, Starne—5.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 447, for "An act to revise the law in relation to county courts," was taken up for a third reading, when,

On motion of Mr. Strong,

The further consideration of the same was postponed to and made the special order for Thursday, February 19, 1874, at 10 o'clock A. M.

Senate bill, No. 457, for "An act to revise the law in relation to jails and jailers," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 32, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Canfield, Casey, Castle, Donahue, Dow, Ferrell, Glenn, Hinchcliffe, Hundley, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Starne, Strong, Upton, Waite, Ware, Warren, Williamson, Youngblood, Mr. President—32.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed a bill of the following title, to-wit:

Senate bill, No. 45, for "An act in regard to the dissolution of insurance companies."

Senate bill, No. 459, for "An act to revise the law in relation to mines," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 27, nays 1.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Canfield, Castle, Donahue, Dow, Ferrell, Glenn, Hinchcliffe, Hundley, Kelly, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Steele, Strong, Upton, Waite, Ware, Warren, Williamson, Youngblood, Mr. President—27.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The President presented the following communication from the State Board of Public Charities, concerning the number and condition of the incurable insane in Illinois :

BOARD OF PUBLIC CHARITIES, SECRETARY'S OFFICE,  
SPRINGFIELD, *February 16, 1874.*

*To the HON. JOHN M. EARLY, President of the Senate :*

SIR : I have the honor to acknowledge the receipt of the following resolution, adopted by the Senate, January 13, 1874 :

*Resolved.* That the State Board of Charitable Institutions be and they are hereby requested to report to the Senate whether they cannot devise some plan, and find some place in the many Insane Asylums in the State, where the incurable insane can be accommodated and cared for without cost or charge to relations or friends, and that the Secretary of the Senate furnish the chairman of said Board with a copy of this resolution.

A complete reply to the foregoing inquiry will include information on the following points, viz : *First*, what is the number of insane persons resident in this State ? *Second*, of this number, what proportion may be regarded as practically incurable ? *Third*, what is the total amount of the provision already made, in Illinois, for the proper care and treatment of the insane ? and *fourth*, what further provision, if any, is the State called upon to make for its incurable insane ?

*What is the number of insane in Illinois ?*

In the ninth census of the United States, for the year 1870, under the superintendence of Gen. F. A. Walker, the number of insane in Illinois is stated at 1,625. But this figure, 1,625, is very much too low, as has been fully demonstrated by the special investigation on this subject instituted by the Board of Public Charities in 1869, and carried to a final revision and completion in 1872.

By reference to the first and second biennial reports of this board, it will be seen that in accordance with the desire of the Governor, Hon. John M. Palmer, the board opened correspondence, in 1869, with every physician in the State of Illinois, for the purpose of ascertaining from each of them the number of insane and idiotic individuals personally known to him, and residing in his immediate neighborhood.

The replies received (which are permanently filed in this office, and open to inspection by the Legislature,) were entered in a book, by counties. All duplicated names were crossed out, and all idiots reported as insane were carefully separated from the truly insane. When this had been thoroughly done, the fact appeared that the physicians of this State had personal knowledge of 2,387 cases of insanity existing in Illinois in 1869.

We were fully aware that the returns received by us were incomplete and partial ; for, after repeated solicitations and endeavor, we failed to obtain from 4,773 physicians, to whom circulars were sent, more than 1,728 replies. We accordingly procured from Gen. Walker, the superintendent of the census, a manuscript list of the names reported to him by the census takers in this State. The list referred to is still in our possession. The secretary of the board, with an assistant, then made a consolidated list from the two, taking infinite pains to expunge all duplicated names, and revising his work several times, to avoid the possibility of any considerable error. The result is on record in our office. The consolidated list contains 3,005 names, of which 783 were found on both the former lists, 709 were returned to Gen. Walker by the census takers, but not to us, and 1,513 were returned by the physicians of the State to us, but not to Gen. Walker. To show the accuracy of the enumeration, 123 duplications, not discovered at Washington by the clerks in the census office, were expunged from Gen. Walker's own list, by Mr.

Wines, whose opportunities for verifying them were necessarily better than those of any stranger.

In the compendium of the census, in a foot note, page 630, the superintendent of the census argues at some length that the figures obtained by us are incorrect; but since the publication of the compendium, after a personal interview with Mr. Wines, Gen. Walker voluntarily wrote a letter, addressed to Mr. Wines, withdrawing the argument alluded to, and acknowledging that it was founded upon a misapprehension. We know that our figures are correct. They must be correct, unless the physicians of the State, without any motive, deliberately characterized persons of sound mind as insane.

We reply, therefore, to the question, "How many insane are there in Illinois?" by saying, a little over 3,000, or about one in 846 of the entire population of the State.

*What is the number of incurables?*

It is very generally agreed, among experts, that insanity of more than one year's standing is rarely cured. Out of 216 recoveries, for instance, in the Hospital for the Insane at Jacksonville, in 1871 and 1872, but fifteen were recoveries of patients insane for more than one year before admission to the hospital. The number of curable cases in any community, therefore, must be approximately commensurate with the number of recent cases.

The number of recent cases may be estimated, though not definitely ascertained. It may be assumed that in Illinois, in a large majority of instances, application is made to the superintendents of hospitals for admission of persons newly insane within twelve months from the first outbreak of the disease. An examination of the reports of the institutions at Jacksonville and at Elgin shows that there were admitted, in 1872, to those two hospitals, about three hundred recent cases, *i. e.* cases of less than one year's duration.

It is evident, therefore, that the ratio of curable to incurable cases must be small.

The tables published by us in our first biennial report show that of 1,705 cases of insanity, in which the duration of the disease was known and stated, only 450, or a little over one-fourth, were recent cases, *i. e.* cases of less than a year's duration. Of 1,452 cases concerning which an opinion was expressed as to their curability, only 393, or a little over one-fourth, were called curable by the physicians reporting.

If a definite estimate is desired of the number of curable cases, we venture to say, without any pretension to exactness, about one-fifth, or twenty per cent., which would give us,

Curable cases, about.....	600
Incurable cases, about.....	2,400
Total.....	3,000

Probably there are not six hundred curable cases in Illinois.

It necessarily follows that the great majority of our insane population belongs to the class characterized as "incurable."

*What provision has been made for the insane in this State?*

There are, in Illinois, three hospitals for the insane, under State ownership and control, namely, the Northern, at Elgin, the Central, at Jacksonville, and the Southern, at Anna.

Of these, that at Jacksonville, founded in 1847, and completed, with the additions, in 1868, will accommodate 450 patients; but the average number of patients in 1873 was 481.

The hospital at Elgin is only partially completed. The north wing,

now occupied, accommodates, by crowding, from 180 to 200 patients. The entire structure will be finished and ready for use by the middle of next summer, or by the early autumn, and will then contain as many as 450 patients.

The hospital at Anna will, when completed, accommodate 500 patients. The north wing, now occupied, if furnished, would contain, say 200; but so many ought not to be crowded into it with its present lack of facilities for proper classification in wards.

Besides these State institutions, there are two private retreats for the insane—one at Batavia, in Kane county, under the charge of Dr. Patterson, and one at Jacksonville, under the charge of Dr. McFarland.

There is also an institution known as the Cook County Insane Asylum, which is really a department of the Cook County Almshouse. Its organization is imperfect, its facilities for treatment very inferior, and its management parsimonious. Before the addition of the fourth story it was designed for 200 patients, but, by the use of an abominable basement, more were crowded into it. It now contains 260.

To recapitulate, there is at present hospital accommodation in Illinois for not exceeding 1,100 or 1,200 insane, as follows:

Jacksonville, State Hospital	450
Jacksonville, Private	20
Elgin, State	180
Batavia, Private	30
Chicago, County	250
Anna, State	200
Total	1,120

The completion of the Northern and Southern Hospitals will add about 570 beds to this total, making hospital provision in all for about 1,700 patients, leaving 1,300 still unprovided for, except in county almshouses and jails and in private families.

The number at present in the county jails and almshouses of Illinois is shown in the following table:

COUNTIES.	In Almshouse.	In Jail.
Adams	9	
Alexander	2	
Bond	2	
Boone	1	
Brown	1	
Bureau	16	
Calhoun	3	
Carroll	1	
Cass	None.	
Champaign	5	1
Christian	1	
Clark	5	
Clay	None.	
Clinton		
Colles	None.	
Cook	260	
Crawford	2	
Cumberland	1	
DeKalb	5	
DeWitt	5	
Douglas	1	
Du Page	None.	1
Edgar		
Edwards	None.	
Effingham	None.	
Fayette	1	
Ford	None.	
Franklin	1	
Fulton	10	
Gallatin	None.	
Greene	4	
Grundy	1	

COUNTIES.	In Almshouse.	In Jail.
Hamilton	1	
Hancock	6	
Hardin	None.	
Henderson	None.	1
Henry	14	
Iroquois	None.	
Jackson	None.	
Jasper	1	
Jefferson	None.	
Jersey		
Jo Daviess	8	1
Johnson	1	
Kane		
Kankakee	None.	
Kendall	None.	
Knox	22	
Lake	13	
La Salle	18	3
Lawrence	None.	
Lee	1	
Livingston	2	
Logan	2	
Macon	5	
Macoupin	1	1
Madison	51	
Marion	None.	
Marshall	3	
Mason	None.	
Massac	None.	
McDonough	5	
McHenry	None.	
McLean	17	
Menard	3	
Mercer	None.	
Monroe	1	
Montgomery	None.	1
Morgan	24	
Moultrie	4	
Ogle	6	
Peoria		
Perry	None.	
Platt	None.	
Pike		
Pope	None.	
Pulaski	None.	
Putnam	None.	
Randolph	None.	
Richland	None.	
Rock Island	13	
Saline	None.	
Sangamon	11	
Schuyler		
Scott	1	
Shelby	3	
Stark	None.	
St. Clair	27	
Stephenson	7	
Tazewell	5	
Union	None.	
Vermilion	None.	
Wabash	2	
Warren	5	
Washington	3	
Wayne	3	
White	None.	
Whiteside	5	
Will		
Williamson	None.	
Winnebago	7	
Woodford	4	
Totals	641	9

The figures in this table have been furnished us since the date of the Senate resolution of inquiry, by the county clerks, and it is this correspondence which has occasioned the delay in our reply.

Out of one hundred and two counties in the State, ten have failed to

respond to our circular, among which are the populous and wealthy counties of Kane, Peoria, Pike, Randolph, Schuyler and Will. Of the ninety-two remaining, fifty-eight, or a little more than one-half, report that they have six hundred and forty-one insane in their alms-houses, and nine in their jails. Outside of Cook county there are three hundred and eighty insane persons on the county farms. Full returns from all the counties would increase this figure. Some of the counties which report "none" have no alms-houses; and some of the alms-houses being full to overflowing, as in Jo Daviess county, there are as many outside, possibly, as on the county farm, who are nevertheless a county charge, and supported at county expense. A number of the clerks from whom statements have been received, mention other chronic cases supported at home or by friends, or sent to hospitals in other states. In Hancock county, *e. g.*, the clerk informs us that there are about a dozen cared for by their friends outside the county farm. The clerk of Tazewell county reports six or seven, the clerk of Cass county five, etc., etc. The clerk of Kaukakee county writes: "Our insane are kept by contract either at the Kankakee town poor-house, or by individuals in other parts of the county," and, to give a vivid impression of their condition, he adds: "I have reported all our insane in jail, which is not literally true, but very much the same."

The condition of the insane in the county alms houses is for the most part extremely unfortunate, though not more so in Illinois than in other states. While some of the counties, like Knox and St. Clair, have made special provision for their care, in the great majority none such has been made, or at least none worthy of the name. It is true, as we believe, that there are some of the chronic insane who are harmless and inoffensive, to whom a degree of freedom can be granted on the county farm more promotive of their happiness than all the appliances of the best regulated hospital, and we have never thought that the rigid confinement of the hospital is the best possible condition and treatment for any and every insane patient. But it is also true that in the ordinary and typical alms-house the diet, nursing, medical attendance, discipline and associations of the insane are horribly inferior and often cruel. It is a common thing for an insane patient, of whom the keeper entertains more or less dread, to be shut up for months or years in a close apartment, unlighted, unventilated, unwarmed, unfurnished, and in this situation his slowly-wasting life is passed, often without clothing other than a blanket, or bedding other than a litter of straw, soiled with the patient's own urine and faeces. Often the insane are chained. They wander around the farm by day with a ball and chain firmly fastened to their ankles, and they sleep at night chained to a ring or staple in the floor. Sometimes they are whipped, sometimes guns and pistols are fired over their heads, to intimidate them. They are often insufficiently clothed. Occasionally the insane of both sexes occupy the same apartments, and some cases of terrible exposure have come to our knowledge. But the subject is so painful that we do not care to dwell upon it, or to give individual cases in detail.

The confinement of an insane person in any county jail is, we believe, under our present code, entirely illegal. Yet we have known such confinement to last, in one instance, for seven years.

*What further provision for the insane is needed?*

No argument, other than the bare presentation of the facts, is necessary, to prove that additional hospital facilities, in this State, are imperatively demanded at the earliest practicable moment. The legislature of Illinois has provided the means of completing the Elgin hos-



pital, and for the erection of a center building at Auna. The appropriation for the erection of the south wing of the Anna hospital is now pending. But it cannot be long before the people will demand of their Senators and Representatives still further appropriations for the erection of additional hospitals. This has been the history of legislation for the insane in every State in the Union.

With regard to the question whether it is better to enlarge existing hospitals or to build new ones, we are unanimously of the opinion that it is not wise to multiply the number of insane under the care of a single superintendent, however able. Such enlargement substitutes system for individual attention and relief, and, for many reasons, does not, in our judgment, promote the real interests of the insane.

With regard to the question whether it is desirable and expedient to erect institutions designed exclusively for chronic cases of insanity, and to separate the curable from the incurable insane, we submit the following resolutions, adopted at the meeting of the Association of Medical Superintendents of American Institutions for the Insane, at Toronto, in June, 1871 :

*Resolved*, That this Association reaffirm, in the most emphatic manner, its former declarations in regard to the construction and organization of hospitals for the insane; and it would take the present occasion to add that, at no time since these declarations were originally made, has anything been said or done to change in any respect its frequently expressed and unequivocal convictions on the following points—derived as they have been from the patient, varied and long continued observations of most of its members:

*First*.—That a very large majority of those suffering from mental disease, can nowhere else be as well or as successfully cared for, for the cure of their maladies, or be made as comfortable, if not curable, with equal protection to the patients and the community, as in well arranged hospitals specially provided for the treatment of the insane.

*Second*.—That neither humanity, economy or expediency can make it desirable that the care of recent and chronic insane should be in separate institutions.

*Third*.—That these institutions, especially if provided at the public cost, should always be of a plain but substantial character; and while characterized by good taste, and furnished with everything essential to the health, comfort and successful treatment of the patients, should avoid all extravagant embellishment and every unnecessary expenditure.

*Fourth*.—That no expense that is required to provide just as many of these hospitals as may be necessary to give the most enlightened care to all their insane, can properly be regarded as either unwise, inexpedient, or beyond the means of any one of the United States.

We call the attention of the Senate to the second of these resolutions, in which the separation of the chronic insane from the curable is condemned. The reasons for this opinion, in which we fully concur, are, briefly :

1. It is impossible to discriminate, in individual cases, and with absolute certainty, between curable and incurable insanity. While the majority of chronic cases are also incurable, yet some surprising recoveries take place, even where the disease is of long standing.

2. If it were even possible to determine in every instance whether a given patient is or is not curable, yet the branding of any patient as incurable, by assigning him to an institution designed exclusively for incurables, would be a cruelty to the patient and to his friends, for it is always cruel to rob a man of hope, his last consolation in the presence of any ill.

3. Of whom nothing is expected, nothing will be obtained. If it is understood by the superintendent and by the public that his patients are beyond the reach of hope, the greatest stimulus to exertion on his part will be removed, and the result will be laxity of discipline, inefficient nursing and medical care, general deterioration in the management, and, in the end, disgraceful failure.

4. In an institution designed for the incurably insane alone, the frequent communication with the outside world secured by the constant discharge of recovered patients would be lacking, and thus an important safeguard against the growth of abuse would be removed.

5. It would not be possible to prevent the admission to any hospital or asylum of patients from the immediate vicinity, who were curable, and, if possible, it would not be desirable.

6. All experience shows that the presence of chronic cases of insanity in any institution has a happy influence over the newly insane, and is an aid not only to discipline but to recovery on their part.

7. If the separation of the incurable from the curable insane is the question to be determined, then the form of the inquiry should be, not whether to make separate provision for the chronic insane, but whether we shall make separate provision for recent cases; for the recent cases are the less numerous of the two.

For these and other reasons, we advise, not the erection of mammoth poor houses, under State supervision, for the reception of the outcast insane of Illinois; but the erection of additional hospitals, whenever the condition of the finances of the State will admit of it.

Finally, with regard to the question whether the incurable insane cannot be "accommodated and cared for without cost or charge to relations or friends," we can only repeat what we have said on this subject already, in our second biennial report:

"The true view of these charitable institutions is, that they are of the nature of all insurance against disaster. Every man is liable to misfortune in his own person or in the person of his family. The tax imposed for the support of public charity is a premium for insurance against such a calamity—the only difference between this premium and one for protection against loss by fire being that that is voluntary, while this is compulsory. In both cases, he who derives no direct personal benefit from the payment of his premium is more fortunate than the man who does. But in both cases, also, the insured are interested to see that the provision made is sufficient, and of the best character, at the least relative cost. Insurance, however, is the principal consideration, and the question of cost, however important in itself, is after all of secondary consequence." [p. 120.]

"The view which we take of this subject is, that if the rich pay their share of the taxes for the support of the hospital, they are entitled to their share of the benefits accruing from it, one of which is admission to the hospital, in case of need, without extra charge. The duty imposed upon the superintendent, under the present law, of inquiring into the pecuniary ability of each applicant to pay for board and treatment, is one of great delicacy, and very disagreeable to both parties; and it is impossible for him to ascertain the truth, as some persons, unwilling to rest under the stigma of pauperism, represent themselves as more able to pay than they really are, while others are avaricious and falsely plead poverty as an excuse for paying less than they are actually able. It is impossible in the hospital to graduate the amount of attention given in proportion to the amount paid; the brand of pauperism upon the majority of the inmates is unkind and often unjust; the presence of pay-patients creates an artificial class distinction; and a comparison of the amounts paid by different individuals creates outside dissatisfaction. All the other State institutions are free. The amount received by the hospital from private persons is too small, in our judgment, to compensate for the evils which we have indicated. We therefore recommend the total abolition of the pay list." [p. 104.]

All of which is respectfully submitted.

S. M. CHURCH, *Pres't of the Board.*

FRED. H. WINES, *Secretary.*

On motion of Mr. Burke,

One thousand copies of the foregoing report were ordered printed, and the report was referred to the committee on state charitable and educational institutions.

Mr. Ferrell (by unanimous consent) offered the following resolution:

*Resolved by the Senate, the House of Representatives concurring herein, That when the two houses of this General Assembly adjourn on Wednesday, March 4, 1874, they stand adjourned sine die.*

Mr. Youngblood moved to suspend the rules, for the purpose of considering the resolution:

The question being, "Shall the rules be suspended for the purpose of considering this resolution?" and the yeas and nays being demanded, it was decided in the negative by the following vote (two-thirds not voting in the affirmative):

Those voting in the affirmative are,

Messrs. Archer, Brooks, Brown, Burke, Casey, Castle, Cunningham, Donahue, Dow, Ferrell, Glenn, Kehoe, Kelly, Lee, Nicholson, Sterne, Upton, Voria, Ware, Youngblood—30.

Those voting in the negative are,

Messrs. Baldwin, Canfield, Hinchcliffe, McGrath, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Strong, Waite, Warren, Williamson, Mr. President—16.

Mr. Baldwin moved to suspend the rules for the purpose of considering, by sections, Senate bill, No. 364, for "An act to appropriate money to pay the salary and expense of publishing the report of the State Entomologist."

The question being, "Shall the rules be suspended for the purpose of considering the bill?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Burke, Canfield, Castle, Cunningham, Donahue, Dow, Ferrell, Glenn, Hinchcliffe, Kehoe, Kelly, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Sterne, Steele, Strong, Upton, Voria, Waite, Ware, Warren, Williamson, Mr. President—31.

Those voting in the negative are,

Messrs. Archer, Brooks, Casey, Lee, Youngblood—5.

Senate bill, No. 364, for "An act to appropriate money to pay the salary and expense of publishing the report of the State Entomologist," was taken up, and

All of the sections of the bill were adopted.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 383, for "An act to revise the law in relation to divorce," was taken up for consideration by sections.

All of the sections of the bill were adopted.

And the question being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 348, for "An act to revise the law in relation to idiots, lunatics and spendthrifts," was taken up for consideration by sections.

All the sections of the bill were adopted.

And the question being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 397, for "An act to revise the law in relation to marriages," was taken up for consideration by sections.

All of the sections of the bill were adopted.

And the question being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 551, for "An act making an appropriation for the

purchase of a site and for the construction of buildings for the Illinois Institution for the education of Feeble-minded Children,"

Was taken up and read at large a second time, and,

On motion of Mr. Baldwin,

Referred to the committee on appropriations.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and, on the 17th day of February, 1874, laid before the Governor for his approval, viz :

Senate bill, No. 45, for "An act in regard to the dissolution of insurance companies."

A message from the Governor, by Philo J. Beveridge, Private Sec'y :

Mr. President : I am directed by the Governor to lay before the Senate the following written communication :

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, February 17, 1874.

*To the Honorable the Senate :*

I have the honor to nominate and (by and with the advice and consent of the Senate) to appoint Herbert G. Whitlock, of Jacksonville, Morgan county, Illinois, to be a Trustee of the Illinois Hospital for the Insane, *vice* J. B. Turner, not confirmed.

JOHN L. BEVERIDGE,  
*Governor.*

A message from the Governor, by Philo J. Beveridge, Private Sec'y :

Mr. President : I am directed by the Governor to lay before the Senate the following written communication :

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, February 17, 1874.

*To the Honorable the Senate :*

I have the honor to nominate and (by and with the advice and consent of the Senate) to appoint Bazzel Davenport, of Jacksonville, public administrator in and for Morgan county, to fill a vacancy.

JOHN L. BEVERIDGE,  
*Governor.*

Mr. Castle (by unanimous consent) called up the following resolution, offered by him on February 14, 1874, for consideration :

WHEREAS the interests of the people of this State demand an increase in the volume of our currency; and whereas the National Banking Act, basing the currency upon U. S. bonds, is the best medium for giving the people currency; therefore,

*Resolved by the Senate, the House concurring herein,* That our Senators in Congress be instructed and our Representatives requested, as speedily as may be, to procure the passage of a law authorizing free banking under the National Bank Act.

Mr. Reynolds moved to refer the resolution to the committee on finance; which motion was decided in the negative.

Mr. Hinchcliffe offered the following amendment to the resolution, which was lost :

Amend by striking out the second clause of the preamble.

On motion of Mr. Williamson,

The previous question was ordered.

The question being, "Shall the resolution be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Canfield, Casey, Castle, Cunningham, Donahue, Dow, Ferrell, Glenn, Kehoe, Kelly, Lee, McGrath, Nicholson, Patterson, Sheldon, Shepard, Sterne, Steele, Strong, Upton, Waite, Ware, Warren, Williamson, Youngblood, Mr. President—29.

Mr. Starne (by unanimous consent) introduced Senate bill, No. 576, for "An act to amend sections 59 and 62 of 'an act in regard to township organization,' approved April 11th, 1873."

Which was ordered to a first reading, and,

On motion of Mr. Starne,

The rules were suspended, and the bill read at large a first time, ordered to a second reading, and referred to the committee on roads, highways and bridges.

On motion of Mr. Youngblood,

The Senate, at 5 o'clock P. M., adjourned.

WEDNESDAY, FEBRUARY 18, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. McKee.

The journal of yesterday was being read, when,

On motion of Mr. Jacobs,

The further reading of the same was dispensed with.

Senate bill, No. 565, for "An act to provide a fund for the relief of members of police and fire departments in incorporated cities wounded or disabled in the discharge of their duties, and for the relief of the surviving family of any member of said department killed while on duty,"

Was taken up and read at large a second time, and ordered to be considered by sections.

On motion of Mr. Williamson,

The rules were suspended, and House bill, No. 808, for "An act to amend sections 6, 7 and 9 of an act entitled 'an act in regard to the completion of public parks and the management thereof,' approved June 16th, 1871, and to add two sections thereto," was taken up to be considered by sections.

All the sections of the bill were adopted.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative.

On motion of Mr. Williamson,

The rules were suspended, and House bill, No. 808, for "An act to amend sections 6, 7 and 9 of an act entitled 'an act in regard to the completion of public parks and the management thereof,' approved June 16th, 1871, and to add two sections thereto," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 36, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Casey, Castle, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, Kelly, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starne, Steele, Strong, Upton, Voris, Waite, Ware, Warren, Williamson, Mr. President—36.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and having received a vote of two-thirds of the members elected, was declared passed.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Ware (by unanimous consent) called up Senate bill, No. 541, for "An act to amend section 20 of an act entitled 'an act in regard to gateways, roads and bridges in counties not under township organization,' approved April 18th, 1873," for consideration by sections.

Mr. Ware offered the following amendment, which was adopted:

Amend by striking out the words "county court," where they occur in the 6th and 7th lines, and insert "board of county commissioners," and strike out the word "court" in 9th line and insert "board of county commissioners."

Mr. Sanford offered the following amendment, which was adopted:

In line 8, strike out the word "none," and insert the words "no other roads."

Section 1 as amended was adopted.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Shepard (by unanimous consent) called up House bill, No. 788, for "An act to repeal an act entitled 'an act to vacate the plat of the western addition to Rock Island city, and to restore the rights thereby divested.'"

Which was read at large a first time, and ordered to a second reading.

Mr. Baldwin (by unanimous consent) called up Senate bill, No. 368, for "An act to amend an act entitled 'an act to establish and maintain a system of free schools,' approved April 1st, 1872," for consideration by sections.

The question being, "Shall the Senate adopt the amendments reported from the committee on education?"

Mr. Burke offered the following amendment to the amendments reported from the committee on education, which was lost:

Amend by striking out the words "two per cent," in line 7, and insert "ten per cent," and in the same line strike out "3" and insert "25."

Mr. Hampton offered the following amendment, which was lost:

Amend report of committee in line 4 by adding, "and the boundary of districts may be changed upon the petition of any voter residing in the same."

Mr. Cusey offered the following amendment:

Amend section 43, line 7, by striking out the word "two" and insert "one." Also, strike out the word "three" and insert "two."

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Brown, Burke, Casey, Castle, Cusey, Donahue, Ferrell, Glenn, Hampton, Hinchcliffe, Kelly, Nicholson, Palmer, Starne, Strong, Voria, Ware—18.

Those voting in the negative are,

Messrs. Baldwin, Cunningham, Dow, Jacobs, Patterson, Reynolds, Sanford, Sheldon, Shepard, Warren, Williamson, Youngblood—12.

The question then being, "Shall the amendments reported from the committee, as amended, be adopted?" it was decided in the affirmative.

Mr. Hampton offered the following amendment, which was adopted:

Amend by striking out of the proviso, in the 3d paragraph of bill, from the word "Provided," to and including the word "given."

Mr. Jacobs offered the following amendment, which was adopted:

Amend section 1, line 14, by striking out the words "said township" and inserting the words "such townships."

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Glenn moved to suspend the rules, for the purpose of considering the order of bills on file by sections; which motion was decided in the negative.

Senate bill, No. 575, for "An act to set off from incorporated towns certain territory which, by the county board, has been formed into a new town or part thereof,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

Senate bill, No. 548, for "An act to amend section one hundred and forty (140) and one hundred and forty-four (144) of 'an act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872,"

Was taken up, read at large a second time, and

On motion of Mr. Ware,

Referred to the committee on revenue.

Senate bill, No. 432, for "An act to enable certain railroad corporations to change their termini,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has adopted the following resolution, to-wit:

*Resolved by the House of Representatives, the Senate concurring herein, That the Chief Enrolling and Engrossing Clerk of the House of Representatives and the Senate be and they are hereby instructed and directed to allow no enrolled bills to be laid before the joint committee on enrolled and engrossed bills of this General Assembly, in which there has been an erasure of a word, words or sentence, or in which there is an interlineation of a word, words or sentence, and that all enrolled bills laid before said committee as correctly enrolled, shall be in a fair, legible handwriting, and without such interlineation or erasure; that in case any law shall be filed in the office of the Secretary of State not in accordance with the provisions of this resolution, it shall be the duty of the Secretary of State at once to notify the House in which such law originated.*

In the adoption of which I am instructed to ask the concurrence of the Senate.

On motion of Mr. Starne,

The rules were suspended, and the foregoing message from the House of Representatives was taken up for consideration.

The question being, "Shall the Senate concur with the House of Representatives in the adoption of the resolution?" it was decided in the affirmative.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has adopted the following resolution, to-wit:

*Resolved, That the Senate be requested to return to this House the resolution instructing our Senators and requesting our Representatives in Congress to use their endeavors to obtain the passage of an act providing for the opening of the railroad bridge at Clinton, Iowa, to the use of all railroads desirous of crossing the same.*

On motion of Mr. Brooks,

The rules were suspended, and the foregoing message from the House of Representatives was taken up for consideration.

On motion of Mr. Brooks,

The Secretary of the Senate was ordered to return the resolution as requested by the House of Representatives.

Senate bill, No. 556, for "An act to authorize the removal of the feeder dam across the Calumet river, near Blue Island, in Cook county, in the State of Illinois, and to provide compensation to Christian Pfeiffer and John Roll for any loss they may sustain by its removal,"

Was taken up, read at large a second time, and,

On motion of Mr. Reynolds,

Referred to the committee on appropriations.

Senate bill, No. 561, for "An act to amend section 3 of an act entitled 'an act concerning corporations,' approved April 18, 1872, in force July 1, 1872,"

Was taken up, read at large a second time and ordered on file to be considered by sections.

Senate bill, No. 536, for "An act to amend an act entitled 'an act to provide for the incorporation of cities and villages,' approved April, 1872,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

Senate bill, No. 563, for "An act to investigate the alleged overflow of lands by the dam on the Illinois river at Henry,"

Was taken up, read at large a second time, and,

On motion of Mr. Starne,

Referred to the committee on canals and rivers.

Senate bill, No. 560, for "An act to protect colored children in their rights to attend public schools,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

Senate bill, No. 552, for "An act to appropriate money for the purchase of furniture and bedding for the Illinois Soldiers' Orphans' Home,"

Was taken up, read at large a second time, and,

On motion of Mr. Cusey,

Referred to the committee on appropriations.

Senate bill, No. 608, for "An act to revise the law in relation to attorneys and counselors," was taken up for consideration.

The pending question being, "Shall the Senate adopt the amendments reported from the joint committee on revision?" it was decided in the affirmative.

The question then being, "Shall this bill be read at large a third time?" it was decided in the affirmative, and

The amendments were ordered printed.

Mr. Ferrell, (by unanimous consent) from the committee on military affairs, to which was referred the following resolution, reported the same back and recommended its adoption:

*Resolved by the Senate, the House of Representatives concurring,* That our Senators in Congress be instructed and our Representatives requested to use their influence to secure the passage of a law, giving to officers in the late war pay from the date of their commissions to the time they were mustered into the service of the United States as such officers.

On motion of Mr. Ferrell,

The rules were suspended, and the resolution was taken up for consideration.

The question being, "Shall the resolution be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Burke, Canfield, Casey, Cunningham, Cusey, Dow, Ferrell, Glenn, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Nicholson, Palmer, Patterson, Reynolds, Starne, Steele, Waite, Williamson, Youngblood—25.

Those voting in the negative are,

Messrs. Donahue, Kelly, Sanford, Shepard, Warren—5.



House bill, No. 685, for "An act to revise the law in relation to escheats,"

Was taken up and read at large a second time.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative.

House bill, No. 743, for "An act to secure to clergymen of all denominations free access to the penitentiary at Joliet, and other penal, reformatory and charitable institutions in the State of Illinois,"

Was taken up, read at large a second time, and,

On motion of Mr. Casey,

Referred to the committee on penal institutions.

House bill, No. 641, for "An act to revise the law in relation to ferries,"

Was taken up and read at large a second time.

Mr. Ware offered the following amendment, which was adopted:

Amend section 5, by inserting after the word "found," in 5th line, "such notice shall be given to the party in possession of the land, if the same be occupied; and if no person be in possession, then."

The question then being, "Shall the bill be read a third time?" it was decided in the affirmative, and

The amendment was ordered printed.

On motion of Mr. Sheldon,

The Senate, at 12:25 o'clock P. M., adjourned until 2:30 o'clock P. M.

#### TWO-THIRTY O'CLOCK, P. M.

Senate met, pursuant to adjournment.

Mr. Reynolds (by unanimous consent), from the committee on insurance, to which was referred House bill, No. 519, for "An act to amend sections one (1), five (5), and six (6), of an act entitled 'an act to incorporate and govern mutual fire insurance companies in townships,'" reported the same back, and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

House bill, No. 653, for "An act to revise the law in relation to township organization,"

Was taken up and read at large a second time.

And the question being, "Shall the amendment reported from the committee on counties and township organization be adopted?" it was decided in the affirmative.

Mr. Sheldon offered the following amendment, which was lost:

Amend section 1, article 15, by inserting after word "town," in line 13, as follows: "*Provided, further,* that the supervisor of each town may retain, as compensation for caring for and paying out town funds, the sum of two per cent. upon all funds that may come to his hands as treasurer of the town, and paid out upon the indebtedness of the town; but no per cent. shall be allowed upon any balance paid over by him to his successor in office."

The question then being, "Shall the bill be read a third time?" it was decided in the affirmative, and

The amendment was ordered printed.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and on the 18th day of February, 1874, laid before the Governor for his approval, viz :

House bill, No. 808, for "An act to amend sections six (6), seven (7) and nine (9) of an act entitled 'an act in regard to the completion of public parks and the management thereof,' approved June 16, 1871, and to add two (2) sections thereto."

The President, at 3 o'clock P. M., announced the time for the special order, being the consideration of Senate bill, No. 455, for "An act to revise the law in relation to husband and wife."

On motion of Mr. Waite,

The consideration of the special order was postponed for fifteen minutes.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed :

Senate bill, No. 364, for "An act to appropriate money to pay the salary and expense of publishing the report of the State Entomologist."

Senate bill, No. 472, for "An act to revise the law in relation to State contracts."

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 18th day of February, 1874, laid before the Governor for his approval, to-wit :

Senate bill, No. 486, for "An act to repeal an act entitled 'an act to establish a court of common pleas in the city of Amboy,' approved March 11, 1869."

Mr. Sanford moved to reconsider the vote whereby House bill, No. 685, for "An act to revise the law in relation to escheats," was ordered to a third reading.

On motion of Mr. Steele,

The consideration of the motion to reconsider the vote whereby the bill was ordered to a third reading, was postponed until Thursday, February 19, 1874, at 10 o'clock A. M.

Mr. Shepard, (by unanimous consent,) from the committee on appropriations, to which was referred House bill, No. 586, for "An act to provide for the payment of the claim of Seth Brock, for services rendered during the Twenty-seventh General Assembly," reported the same back, and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Shepard, (by unanimous consent,) from the committee on appropriations, to which was referred House bill, No. 410, for "An act to amend section 1 of an act entitled 'an act making appropriations for the payment of the indebtedness of the Soldiers' Orphans' Home,'" reported the same back, and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

A message from the Governor, by Philo J. Beveridge, Private Secretary :

Mr. President : I am directed by the Governor to lay before the Senate the following written communication :

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, February 18, 1874.

*To the Honorable the Senate:*

In pursuance of an act entitled "An act in regard to the completion of public parks and the management thereof," approved June 16, 1871, and in force July 1, 1871, I hereby nominate as commissioners, under said act, Frederick H. Winston, of Cook county, *vice* Wm. H. Bradley, resigned; Anthony C. Hesing, of Cook county, *vice* Samuel M. Nickerson, resigned; and Jacob Rehm, of Cook county, *vice* Francis H. Kales, resigned. And in these appointments I respectfully ask your concurrence.

JOHN L. BEVERIDGE,  
*Governor.*

House bill, No. 735, for "An act to amend section 40 of an act entitled 'an act in regard to practice in courts of record,' approved February 22, 1872,"

Was taken up and read at large a second time, and,

On motion of Mr. Ferrell,

Referred to the committee on judiciary.

House bill, No. 515, for "An act to amend an act entitled 'an act in relation to the penitentiary at Joliet,' to be entitled 'an act to provide for the management of the Illinois State Penitentiary at Joliet,' approved June 16, 1871,"

Was taken up and read at large a second time, and,

On motion of Mr. Sanford,

Referred to the committee on penal institutions.

Senate bill, No. 566, for "An act to provide for the election of a Board of Commissioners of Public Charities, and to prescribe their duties,"

Was taken up, read at large a first time, and ordered to a second reading.

The President, at 3:15 o'clock P. M., announced the time for the special order, being the consideration of Senate bill, No. 455, for "An act to revise the law in relation to husband and wife," which, having been printed, was read at large a third time.

Mr. Waite moved to recommit the bill to the joint committee on revision.

And the question being, "Shall the bill be recommitted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cunningham, Cusey, Dow, Glenn, Hampton, Henry, Kelly, Nicholson, Palmer, Reynolds, Sheldon, Shepard, Sterne, Steele, Waite, Ware, Williamson, Youngblood, Mr. President—21.

Those voting in the negative are,

Messrs. Archer, Brooks, Brown, Burke, Canfield, Casey, Donahue, Ferrell, Hinchcliffe, Jacobs, Kehoe, McGrath, Patterson, Strong, Warren—15.

On motion of Mr. Ferrell,

Executive messages were ordered taken up for consideration.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, February 18, 1874.

*To the Honorable the Senate:*

In pursuance of an act entitled "An act in regard to the completion of public parks and the management thereof," approved June 16, 1871,

and in force July 1, 1871, I hereby nominate, as commissioners under said act, Frederick H. Winston, of Cook county, *vice* Wm. H. Bradley, resigned; Anthony O. Hesing, of Cook county, *vice* Samuel M. Nickerson, resigned; and Jacob Rehm, of Cook county, *vice* Francis H. Kales, resigned; and in these appointments I respectfully ask your concurrence.

JOHN L. BEVERIDGE,  
*Governor.*

The question being, "Does the Senate advise and consent to the nominations just made?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Canfield, Casey, Castle, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Hampton, Henry, Jacobs, Kehoe, Kelly, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Sterne, Steele, Strong, Upton, Waite, Warren, Williamson, Youngblood, Mr. President—33.

Mr. Steele (by unanimous consent), from the joint committee on revision, to which was referred Senate bill, No. 455, for "An act to revise the law in relation to husband and wife," reported the same back with an amendment, and recommended its adoption, and that the bill as amended be passed.

The report of the committee was concurred in, the amendment adopted, and the bill ordered to be engrossed and printed for a third reading.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly engrossed:

Senate bill, No. 455, for "An act to revise the law in relation to husband and wife."

Mr. Steele moved to suspend the rules for the purpose of considering Senate bill, No. 455, for "An act to revise the law in relation to husband and wife," on third reading.

The question being, "Shall the rules be suspended for the purpose of reading this bill a third time?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Canfield, Castle, Cunningham, Cusey, Dow, Glenn, Hampton, Henry, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Sterne, Steele, Strong, Upton, Waite, Williamson, Youngblood, Mr. President—23.

Those voting in the negative are,

Messrs. Brooks, Brown, Burke, Casey, Donahue, Jacobs, Kehoe, Kelly, Patterson, Warren—10.

Senate bill, No. 455, for "An act to revise the law in relation to husband and wife," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 23, nays 14.

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cunningham, Cusey, Dow, Ferrell, Glenn, Hampton, Henry, Hinchcliffe, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Sterne, Strong, Upton, Waite, Williamson, Youngblood, Mr. President—23.

Those voting in the negative are,

Messrs. Archer, Brooks, Brown, Burke, Canfield, Casey, Donahue, Handley, Jacobs, Kehoe, Kelly, Patterson, Steele, Warren—14.

Mr. Steele entered a motion, to reconsider the vote whereby Senate bill, No. 455, for "An act to revise the law in relation to husband and wife," was lost.

A message from the Governor, by Philo J. Beveridge, Private Secretary :

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, viz :

House bill, No. 808, for "An act to amend sections six (6), seven (7) and nine (9) of an act entitled 'an act in regard to the completion of public parks, and the management thereof,' approved June 16, 1871, and to add two (2) sections thereto,"

Senate bill, No. 486, for "An act to repeal an act entitled 'an act to establish a court of common pleas in the city of Amboy,' approved March 11, 1869."

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, February 17, 1874.

*To the Honorable the Senate :*

I have the honor to nominate and (by and with the advice and consent of the Senate) to appoint Bazzel Davenport, of Jacksonville, public administrator in and for Morgan county, to fill a vacancy.

JOHN L. BEVERIDGE,  
*Governor.*

The question being, "Does the Senate advise and consent to the nomination just made?" it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cunningham, Cusey, Donahue, Ferrell, Glenn, Hampton, Henry, Jacobs, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starnes, Steele, Strong, Upton, Walte, Williamson, Youngblood, Mr. President—26.

Those voting in the negative are,

Messrs. Brooks, Brown, Burke, Casey, Hundley, Kehoe, Kelly, Warren—8.

The executive message transmitting the nomination of Herbert G. Whitlock, of Jacksonville, Morgan county, as Trustee of Illinois Hospital for the Insane, was taken up for consideration, and,

On motion of Mr. Donahue,

Referred to the committee on state charitable and educational institutions.

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, January 15, 1874.

*To the Honorable the Senate :*

I have the honor to nominate and appoint, as public administrator for Wabash county, Sylvester Greathouse, in place of William B. Ridgway, resigned ; and in this appointment I ask your concurrence.

JOHN L. BEVERIDGE,  
*Governor.*

By the Governor:

PHILO J. BEVERIDGE, *Private Sec'y.*

The question being, "Does the Senate advise and consent to the nomination just made?" it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Burke, Canfield, Castle, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Hampton, Henry, Hundley, Jacobs, McGrath, Nicholson, Patterson, Reynolds, Sanford, Sheldon, Shepard, Strong, Upton, Walte, Warren, Williamson, Youngblood, Mr. President—28.

Those voting in the negative are,

Messrs. Archer, Brooks, Kehoe, Kelly—4.

On motion of Mr. Casey,

The Senate, at 5:15 o'clock P. M., adjourned.

THURSDAY, FEBRUARY 19, 1874—10 O'clock, A. M.

Senate met, pursuant to adjournment.

The journal of yesterday was being read, when,

On motion of Mr. Nicholson,

The further reading of the same was dispensed with.

On motion of Mr. Nicholson,

House bill, No. 584, for "An act to amend section 255, of an act entitled 'an act for the assessment of property and for the levy and collection of taxes,' approved March 10, 1872," was ordered printed.

Mr. Jacobs (by unanimous consent), from the committee on corporations, to which was referred Senate bill, No. 517, for "An act to authorize the legislative authority of any incorporated city in this State to sell parks or any other public ground, or any lands belonging to any such city or any part of the same, which may have become the property of the same by purchase or otherwise," reported the same back and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Jacobs (by unanimous consent), from the committee on corporations, to which was referred House bill, No. 719, for "An act to enable cities and villages to establish and regulate cemeteries," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading.

Mr. Upton (by unanimous consent), from the joint committee on revision, to which was referred Senate bill, No. 467, for "An act to revise the law in relation to paupers," reported the same back with an amendment, and recommended its adoption, and that the bill as amended be passed.

The report of the committee was concurred in, the amendment adopted, and the bill ordered to be engrossed and printed for a third reading.

The President announced the time for the special order, being the consideration of the motion, entered on yesterday by Mr. Sanford, to reconsider the vote whereby House bill, No. 685, for "An act to revise the law in relation to escheats," was ordered to a third reading.

The question being, "Shall the vote ordering the bill to a third reading be reconsidered?" it was decided in the affirmative.

Mr. Sanford offered the following amendment, which was adopted:

Amend by striking out section 8.

The question then being, "Shall the bill be read a third time?" it was decided in the affirmative, and

The amendment was ordered printed.

Mr. Palmer (by unanimous consent) called up his motion, entered on Friday, February 13, 1874, to reconsider the vote whereby the Senate concurred with the House of Representatives in the adoption of their resolution providing for a joint committee to draft a revenue law, as amended by the Senate.

The question being, "Shall the vote whereby the resolution was concurred in be reconsidered?" it was decided in the affirmative.

The question then being, "Shall the Senate concur with the House of Representatives in the adoption of the resolution, as amended by the Senate?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Burke, Canfield, Dow, Jacobs, Kehoe, McGrath, Palmer, Patterson, Reynolds, Steele, Upton, Waite, Williamson, Youngblood—15.

Those voting in the negative are,

Messrs. Baldwin, Casey, Castle, Cunningham, Cusey, Donahue, Ferrell, Glenn, Hampton, Henry, Hundley, Kelly, Nicholson, Sanford, Sheldon, Shepard, Starnes, Strong, Warren, Whiting—20.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed:

Senate bill, No. 383, for "An act to revise the law in relation to divorce."

Senate bill, No. 397, for "An act to revise the law in relation to marriages."

Senate bill, No. 541, for "An act to amend section 20 of an act entitled 'an act in regard to gateways, roads and bridges in counties not under township organization,' approved April 18, 1873."

Senate bill, No. 348, for "An act to revise the law in relation to idiots."

Senate bill, No. 270, for "An act to authorize the corporate authorities of any city in this State to establish and maintain gas works, and to purchase or lease gas works and make additions thereto."

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has adopted the following resolution, to-wit:

*Resolved by the House of Representatives, the Senate concurring herein, That when the two houses adjourn on this Thursday evening, February 19th, they adjourn to meet on Tuesday, February 24th, at 10 o'clock A. M.*

In the adoption of which I am instructed to ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has adopted the following resolution, to-wit:

WHEREAS, by joint resolution of the Senate and House, the Secretary of State has been directed to cause to be published and distributed, without delay, to the clerks of the several counties, copies of "An act concerning jurors," approved February 11, 1874; and whereas, an error has been discovered in section 14 of said act, to correct which a bill has been introduced in the House, read a first time and ordered to a second reading; therefore,

*Resolved by the House, the Senate concurring herein, That the Secretary of State be and he is hereby directed to cause the publication and distribution of said act to be suspended until said amendatory bill shall be passed and approved, and that he then cause said act, incorporating said section 14 as amended, to be printed and distributed as heretofore directed.*

In the adoption of which I am instructed to ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 453, for "An act to revise the law in relation to the General Assembly," with amendments thereto.

In the adoption of which amendments I am instructed to ask the concurrence of the Senate.

Mr. Donahue (by unanimous consent), from the committee on railroads, to whom was referred the following resolution:

WHEREAS, the constitution of the United States makes it the duty of Congress to regulate commerce between the States; and whereas, the House of Representatives of this State did, on the 16th day of

January, A. D. 1873, adopt a resolution in substance as follows: "That our Senators in Congress be instructed, and our Representatives be requested, to use all lawful means to procure the passage of an act of Congress prohibiting all corporations or persons owning or operating inter-State lines of railroad from charging or receiving unreasonable rates for the transportation of freight, passengers and cars over their road, and from making unjust discrimination in such transportation," which resolution required the concurrence of the Senate, but has not yet been acted upon by that honorable body; therefore,

*Resolved by the House of Representatives, the Senate concurring herein.* That our Senators in Congress be instructed, and our Representatives be requested, to provide, by law, some mode of procedure for preventing any corporation, person or persons owning or using any inter-State line of railroad, from charging, demanding or receiving unreasonable or extortionate rates for the transportation of freight, passengers and cars over such line of railroad, and for preventing unjust discrimination in the rates charged for such transportation.

Reported the same back and recommended that it do not pass, and that the resolution received from the House of Representatives on January 17, A. D. 1873, referred to in the foregoing resolution, be concurred in, and that this resolution be laid on the table.

And the question being, "Shall the Senate concur in the report of the committee on railroads?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Canfield, Castle, Crews, Cunningham, Cusey, Donahue, Ferrell, Glenn, Hampton, Henry, Hundley, Jacobs, Kehoe, Palmer, Patterson, Reynolds, Shepard, Steele, Upton, Voris, Waite, Warren, Whiting, Youngblood, Mr. President—28.

Those voting in the negative are,

Messrs. Brooks, Brown Burke, Casey, Dow, Kelly, Sterne—7.

Mr. Kehoe entered a motion to reconsider the vote whereby the report of the committee on railroads was adopted.

Mr. Donahue (by unanimous consent), from the committee on railroads, to which was referred Senate bill, No. 437, for "An act to prevent extortion and unjust discrimination in the rates charged for transportation of freights on railroads in this State, and to punish the same and prescribe a mode of procedure and rules of evidence in relation thereto," reported the same back without recommendation.

On motion of Mr. Voris,

The bill was ordered on file for a second reading.

Mr. Donahue (by unanimous consent), from the committee on railroads, to which was referred Senate bill, No. 554, for "An act to make the schedules prepared and published by the Railroad and Warehouse Commission *prima facie* evidence in the courts of this State," reported the same back without recommendation, and

The bill was ordered on file for a second reading.

Mr. Donahue (by unanimous consent), from the committee on railroads, to which was referred Senate bill, No. 567, for "An act to amend an act to provide for changing the names, for changing the places of business, for increasing or decreasing the capital stock, for increasing or decreasing the number of directors, and for the consolidation of incorporated companies," reported the same back and recommended its passage, and that it be printed.

The report of the committee was concurred in, the bill ordered on file for a first reading, and to be printed.

Mr. Baldwin (by unanimous consent), from the committee on reformatory institutions, to which was referred Senate bill, No. 522, for "An act authorizing the Trustees of the State Reform School to lease the labor of the inmates," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

The report of the committee was concurred in, the amendments adopted, and the bill ordered to be engrossed and printed for a third reading.



Mr. Waite (by unanimous consent) called up the resolution from the House of Representatives directing the Secretary of State to suspend the publication of "An act concerning jurors."

And the question being, "Shall the Senate concur with the House of Representatives in the adoption of the resolution?" it was decided "in affirmative."

The President, at 10:30 o'clock A. M., announced the time for the special order, being the consideration of Senate bill, No. 447, for "An act to revise the law in relation to county courts."

Mr. Strong moved to postpone the further consideration of the special order until Wednesday, February 25, 1874, at 11 o'clock A. M.

The question being, "Shall the consideration of the special order be so postponed?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Castle, Cunningham, Cusey, Dow, Glenn, Hampton, Henry, Kehoe, Kelly, McGrath, Palmer, Sanford, Sheldon, Shepard, Strong, Upton, Voris, Whiting, Williamson—21.

Those voting in the negative are,

Messrs. Brown, Burke, Canfield, Casey, Crews, Donahue, Ferrell, Hundley, Jacobs, Patterson, Reynolds, Starnes, Steele, Waite, Warren, Youngblood—16.

The President, at 11 o'clock A. M., announced the time for the special order, being the consideration of Senate bill, No 270, for "An act to authorize the corporate authorities of any city in this State to establish and maintain gas works, and to purchase or lease gas works, and make additions thereto."

On motion of Mr. McGrath,

The bill was recommitted to the committee on municipalities.

Mr. Youngblood moved to suspend the rules, for the purpose of taking up the resolutions from the House of Representatives providing for a recess from Thursday, February 19, until Tuesday, February 24, 1874.

The question being, "Shall the rules be suspended for the purpose of considering the resolution?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Brown, Burke, Donahue, Dow, Kehoe, Reynolds, Youngblood—8.

Those voting in the negative are,

Messrs. Baldwin, Canfield, Casey, Castle, Crews, Cunningham, Cusey, Ferrell, Hampton, Jacobs, Kelly, McGrath, Palmer, Patterson, Sanford, Shepard, Starnes, Steele, Strong, Waite, Warren, Whiting, Williamson, Yager—23.

Senate bill, No. 564, for "An act providing for the better protection of persons owning grain stored in public warehouses of class A,"

Was taken up, read at large a first time, and ordered to a second reading.

On motion of Mr. Henry,

Leave of absence was granted Mr. Ware.

On motion of Mr. Steele,

The rules were suspended, and the order of Senate bills on third reading was taken up for consideration.

Senate bill, No. 383, for "An act to revise the law in relation to divorce," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 32, nays 2.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Canfield, Castle, Crews, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Hampton, Henry, Jacobs, McGrath, Nicholson, Palmer, Patterson, Reynolds,

Sheldon, Shepard, Starnes, Steele, Strong, Upton, Warren, Whiting, Williamson, Youngblood, Mr. President—32.

Messrs. Casey and Kelly voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Canfield, (by unanimous consent,) from the committee on municipalities, to which was referred Senate bill, No. 270, for "An act to authorize the corporate authorities of any city in this State to establish and maintain gas works, and to purchase or lease gas works and make additions thereto," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

The report of the committee was concurred in, the amendments adopted, and the bill ordered to be engrossed and printed for a third reading.

Senate bill, No. 397, for "An act to revise the law in relation to marriages," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 36, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Canfield, Casey, Castle, Crews, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, McGrath, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starnes, Steele, Strong, Upton, Waite, Warren, Whiting, Williamson, Youngblood, Mr. President—36.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 348, for "An act to revise the law in relation to idiots, lunatics and spendthrifts," was being read at large a third time, pending which,

On motion of Mr. Youngblood,

The Senate, at 12:15 o'clock P. M., adjourned until 2:30 o'clock P. M.

## TWO-THIRTY O'CLOCK P. M.

Senate met, pursuant to adjournment.

The reading at large a third time of Senate bill, No. 348, for "An act to revise the law in relation to idiots, lunatics and spendthrifts," was resumed and concluded.

And this bill having been printed, and read at large a third time,

And the pending question being, "Shall this bill pass?" it was decided in the affirmative—yeas 34, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Casey, Castle, Crews, Cunningham, Cusey, Dow, Ferrell, Glenn, Hampton, Henry, Hundley, Jacobs, Kehoe, Kelly, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Shepard, Starnes, Steele, Strong, Upton, Waite, Warren, Whiting, Yager, Youngblood, Mr. President—34.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 364, for "An act to appropriate money to pay the salary and expense of publishing the report of the State Entomologist," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 28, nays 8.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Canfield, Castle, Cunningham, Cusey, Dow, Ferrell, Glenn, Hampton, Henry, Jacobs, Kelly, McGrath, Nicholson, Palmer, Patterson, Sheldon, Shepard, Starnes, Strong, Thompson, Upton, Whiting, Williamson, Yager, Youngblood, Mr. President—28.

Those voting in the negative are,

Messrs. Burke, Casey, Crews, Donahue, Hundley, Kehoe, Voria, Warren—8.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Dow (by unanimous consent) called up House bill, No. 149, for "An act to appropriate fifty thousand dollars to complete the Douglas monument, at Chicago," for consideration by sections.

Sections 1, 2 and 3 were adopted.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative.

House bill, No. 609, for "An act in regard to canal companies," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Canfield, Casey, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Hampton, Henry, Jacobs, Kelly, McGrath, Nicholson, Patterson, Reynolds, Sheldon, Starnes, Steele, Strong, Upton, Waite, Warren, Williamson, Yager, Mr. President—29.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Henry (by unanimous consent), from the committee on penal institutions, to which was referred the following resolution:

WHEREAS, the Twenty-fifth General Assembly of the State of Illinois, in view of the crowded condition of the penitentiary at Joliet, and for the purpose of relieving the same, and providing for the more economical management thereof, passed "An act to locate, construct and carry on the Illinois Southern Penitentiary," approved February 28, 1867, and appropriated the sum of \$150,000 to carry out the provisions of said act; and whereas the said law is in full force, but no commissioners have been appointed, as in said law provided, and believing that the establishment of said Southern Illinois Penitentiary would result in diminishing the expenses of the State, and in promoting the order and well being of the convicts, by thus providing separate departments for them during the time not employed in their daily avocation; therefore, be it

Resolved by the Senate, That the Governor be and is hereby respectfully requested to nominate and send to the Senate the names of five commissioners, as provided in said act, to carry into force and effect the provisions thereof: *Provided*, that the said penitentiary, when completed and ready for use and occupation, with capacity to accommodate the number of convicts contemplated in the said act, shall not cost to exceed the amount in said act appropriated.

Reported the same back, and recommended that it be adopted.

On motion of Mr. Kehoe,

The previous question was ordered.

The question being, "Shall the Senate concur in the report of the committee, and adopt the resolution?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Brown, Burke, Casey, Crews, Cunningham, Dow, Ferrell, Glenn, Henry, Hinchcliffe, Hundley, Kehoe, McGrath, Starnes, Steele, Voria, Youngblood—18.

Those voting in the negative are,

Messrs. Baldwin, Hampton, Jacobs, Kelly, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Strong, Waite, Warren, Whiting, Williamson, Yager—17.

Mr. Steele called up his motion entered yesterday to reconsider the vote whereby Senate bill, No. 455, for "An act to revise the law in relation to husband and wife," was lost.

The question being, "Shall the vote whereby the bill was lost be reconsidered?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Canfield, Castle, Crews, Cunningham, Cusey, Ferrell, Glenn, Hampton, Henry, Hinchcliffe, Jacobs, Kelly, McGrath, Murphy, Nicholson, Palmer, Patter-

son, Sanford, Sheldon, Shepard, Starne, Steele, Strong, Upton, Waite, Warren, Whiting, Williamson, Yager, Youngblood, Mr. President—35.

Mr. Hundley voted in the negative.

On motion of Mr. Steele,

Senate bill, No. 455, for "An act to revise the law in relation to husband and wife," was referred to the committee on judiciary.

The President made the following announcement:

I hereby appoint on the part of the Senate, as members of the conference committee on Senate bill, No. 279, for "An act to revise the law in relation to the Secretary of State," Senators Canfield, Steele, and Starne.

JOHN EARLY, *President*.

Mr. Ferrell, at 4:30 o'clock P. M., moved that the Senate adjourn.

And the question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Brooks, Brown, Burke, Canfield, Castle, Crews, Cunningham, Ferrell, Henry, Hinchcliffe, Hundley, Kehoe, McGrath, Nicholson, Starne, Steele, Whiting, Youngblood—19.

Those voting in the negative are,

Messrs. Baldwin, Cusey, Donahue, Dow, Glenn, Hampton, Jacobs, Kelly, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Strong, Voris, Waite, Warren, Williamson, Yager, Mr. President—20.

Leave of absence was granted the President until Tuesday next.

The President-named, as President *pro tem.*, during his absence, Senator Hampton.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to lay before the Senate the following written communication:

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, *January 19, 1874.*

*To the Honorable the Senate:*

Hon. John A. Chesnut having tendered his resignation as Trustee of the Institution for the Education of the Deaf and Dumb, I hereby withdraw his name from further consideration on the part of the Senate.

JOHN L. BEVERIDGE,  
*Governor.*

Mr. Dow entered a motion to reconsider the vote whereby the Senate adopted the resolution requesting the Governor to nominate Commissioners for the Southern Illinois Penitentiary.

Mr. Palmer, at 4:40 o'clock P. M., moved that the Senate adjourn.

And the question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brown, Burke, Canfield, Castle, Cunningham, Cusey, Glenn, Nicholson, Palmer, Patterson, Reynolds, Sanford, Shepard, Starne, Steele, Strong, Waite, Whiting, Youngblood—21.

Those voting in the negative are,

Messrs. Dow, Ferrell, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Sheldon, Voris, Warren, Williamson—13.

FRIDAY, FEBRUARY 20, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. McKee.

The journal of yesterday was being read, when,

On motion of Mr. Voris,

The further reading of the same was dispensed with.

On motion of Mr. Voris,

Senate bill, No. 437, for "An act to prevent extortion and unjust discrimination in the rates charged for the transportation of freights on railroads in this State, and to punish the same, and prescribe a mode of procedure and rules of evidence in relation thereto," was taken up and made the special order for Tuesday, February 22d, A. D. 1874, at 2:30 o'clock P. M.

Mr. Reynolds (by unanimous consent) introduced Senate bill, No. 577, for "An act to amend sections 1, 2, 4, 7, 9 and 12 of an act entitled 'an act for the registry of electors and to prevent fraudulent voting,' approved February 15, 1865, and to repeal section 10 of said act."

Which was ordered to a first reading, and,

On motion of Mr. Reynolds,

Referred to the committee on revision.

Mr. Waite presented a petition from certain citizens of Chicago, relating to title of lands; which, on his motion, was referred to the joint committee on revision.

Mr. Shepard presented a petition from citizens of Blue Island, Cook county, relating to the Calumet dam; which, on his motion, was referred to the committee on appropriations.

Mr. Nicholson (by unanimous consent), from the committee on revenue, to which was referred House bill, No. 654, for "An act to amend an act entitled 'an act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading.

Mr. Nicholson (by unanimous consent), from the committee on revenue, to which was referred Senate bill, No. 548, for "An act to amend sections one hundred and forty (140) and one hundred and forty-four (144) of 'an act for the assessment of property, and for the levy and collection of taxes,' approved March 30, 1872," reported the same back and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Nicholson (by unanimous consent) introduced Senate bill, No. 578, for "An act to amend sections 25, 43, 53, 97, 106 and 107 of 'an act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872."

Which was ordered to a first reading, and,

On motion of Mr. Nicholson,

The rules were suspended, and the bill was read at large a first time, and ordered to a second reading, and to be printed.

Mr. Whiting (by unanimous consent) from the committee on canals and rivers, to which was referred Senate bill, No. 563, for "An act to investigate the alleged overflow of lands by the dam on the Illinois river at Henry," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file to be considered by sections.

Mr. Dow (by unanimous consent) introduced Senate bill, No. 579, for "An act to amend section 15 of an act entitled 'an act to regulate public warehouses, and the warehousing and inspection of grain, and to give effect to article 13 of the constitution of the State,' approved April 25, 1871."

Which was ordered to a first reading.

Mr. Reynolds (by unanimous consent), from the committee on insurance, to which was referred Senate bill, No. 63, for "An act to authorize life insurance companies to substitute securities for those heretofore deposited, and to withdraw the same under certain circumstances," reported the same back and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Strong (by unanimous consent) called up the message of the House of Representatives on Senate bill, No. 452, for "An act to revise the law in relation to the General Assembly."

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments to the bill?"

Add to section 6: "But the testimony of a witness examined and testifying before either house of the General Assembly, any committee of either house, or any joint committee of the two houses, shall not be used as evidence in any criminal proceedings against such witness in any court of justice: *Provided*, that no official paper or record, produced by such witness on such examination, shall be held or taken to be included within the privilege of said evidence so to protect such witness from any criminal proceeding as aforesaid; and no witness shall hereafter be allowed to refuse to testify to any fact or to produce any paper touching which he shall be examined by either house or by any of the said committees, for the reason that his testimony touching such fact or the production of such paper may tend to disgrace him or render him infamous: *Provided, further*, that nothing in this act shall be construed to exempt any witness from prosecution and punishment for perjury committed by him in testifying as aforesaid."

"§ 14. Whereas an emergency exists, therefore this act shall take effect and be in force from and after its passage."

It was decided in the affirmative, by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Burke, Canfield, Casey, Castle, Crews, Cummings, Cusey, Dow, Ferrell, Glenn, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kelly, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Sterne, Strong, Upton, Voris, Waite, Warren, Whiting, Wilcox, Williamson—34.

Mr. Sanford, (by unanimous consent,) from the committee on judiciary, to which was referred House bill, No. 716, for "An act providing for trial of rights of property in certain cases before the county court," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

And the bill was ordered on file to be considered by sections, and to be printed.

Mr. Jacobs (by unanimous consent), from the committee on corporations, to which was referred Senate bill, No. 323, for "An act to authorize the formation of corporations for providing and investing money on the security of real estate," reported the same back, and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

House bill, No. 644, for "An act to revise the law in relation to joint rights and obligations," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Burke, Canfield, Casey, Castle, Cummings, Cusey, Ferrell, Glenn, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, McGrath, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Sterne, Strong, Upton, Voria, Waite, Wilcox, Williamson—29.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

House bill, No. 646, for "An act to revise the law in relation to mandamus," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 31, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Casey, Castle, Crews, Cummings, Cusey, Dow, Ferrell, Glenn, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Sterne, Steele, Strong, Upton, Waite, Whiting, Wilcox, Williamson—31.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Kelly,

House bill, No. 653, for "An act to revise the law in relation to township organization," was made the special order for Wednesday, February 25, 1874, at 10 o'clock A. M.

Mr. Waite (by unanimous consent), from the committee on county and township organization, to which was referred Senate bill, No. 568, for "An act to authorize the county board to add to and disconnect territory to and from cities and villages," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a first reading, and to be printed.

House bill, No. 604, for "An act to revise the law in relation to amendments and jeofails," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 33, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Burke, Canfield, Casey, Castle, Crews, Cummings, Cusey, Dow, Ferrell, Glenn, Hampton, Henry, Hinchcliffe, Jacobs, Lee, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Sterne, Steele, Strong, Upton, Waite, Warren, Whiting, Wilcox, Williamson, Youngblood—33.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Hinchcliffe (by unanimous consent) called up Senate bill, No. 562, for "An act to enable towns and villages in this State having commons to dispose of the same," for consideration by sections.

The pending question being, "Shall the Senate adopt the amendments reported from the committee on education?" it was decided in the affirmative.

Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9, were adopted.

On motion of Mr. Burke,

The vote whereby section 2 was adopted, was reconsidered.

Mr. Burke offered the following amendment:

Strike out section 2 and insert the following: "No such sale shall be made until the inhabitants of such town and village holding such lease shall, by a vote, determine that they will dispose of such commons."

Mr. Steele moved to refer the bill to the committee on judiciary.

On motion of Mr. Nicholson,

Debate on the pending motion was ordered closed.

The question being, "Shall the bill be referred to the committee on judiciary?" it was decided in the affirmative.

Mr. Hinchcliffe (by unanimous consent) introduced Senate bill, No. 580, for "An act for the relief of the prosecuting attorney in the Alton city court."

Which was ordered to a first reading, and,

On motion of Mr. Hinchcliffe,

Referred to the committee on judiciary.

Mr. Baldwin (by unanimous consent) introduced Senate bill, No. 581, for "An act to provide for the compiling, publishing and distribution of the statutes of the State."

Which was ordered to a first reading.

Mr. Wilcox, (by unanimous consent) from the committee on state charitable and educational institutions, to which was referred Senate bill, No. 557, for "An act to empower the Auditor to draw his warrants for unexpended money heretofore appropriated to the Institution for the Education of the Blind," reported the same back and recommended that it be referred to the committee on appropriations.

The report of the committee was concurred in, and the bill ordered to be so referred.

Mr. Shepard, (by unanimous consent) from the committee on appropriations, to which was referred Senate bill, No. 297, for "An act to appropriate to the city of Shawneetown \$60,000 in payment of the damages actually done said city by the excavation of a water drain through its streets by the State of Illinois, in prosecution of its work under the internal improvement system, in the years 1838 and 1839," reported the same back by a substitute, and recommended that the original bill be laid on the table.

Which was agreed to, and also, that the substitute was reported from the committee without recommendation.

Mr. Ferrell (by unanimous consent) introduced Senate bill, No. 582, for "An act to provide for a more equitable distribution of school moneys."

Which was ordered to a first reading, and,

On motion of Mr. Ferrell,

The rules were suspended, the bill read at large a first time, and ordered to a second reading and to be printed.

Mr. Shepard, from the committee on appropriations, introduced Senate bill, No. 583, for "An act to appropriate \$60,000 to the city of Shawneetown in liquidation of the legal and equitable liabilities of the State to said city of Shawneetown, growing out of the ninth article of



the 'act of the General Assembly to incorporate the said city of Shawneetown,' approved February 22, 1861."

Which was ordered to a first reading.

On motion of Mr. Shepard,

The rules were suspended, the bill read at large a first time, and ordered to a second reading.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed:

Senate bill, No. 368, for "An act to amend an act entitled 'an act to establish and maintain a system of free schools,' approved April 1, 1872."

Senate bill, No. 467, for "An act to revise the law in relation to paupers."

Senate bill, No. 522, for "An act authorizing the Trustees of the State Reform School to lease the labor of the inmates."

Mr. Casey (by unanimous consent) offered the following resolution:

*Resolved*, That when the Senate adjourn to-day it stand adjourned until Monday the 23d inst., at six o'clock P. M.

Mr. Casey moved to suspend the rules for the purpose of considering the resolution.

And the question being, "Shall the rules be suspended?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Burke, Casey, Cunningham, Cusey, Glenn, Hincheliffe, Kehoe, Kelly, Lee, McGrath, Nicholson, Reynolds, Sheldon, Starne, Warren, Youngblood—15.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Canfield, Castle, Crews, Cummings, Hampton, Hundley, Jacobs, Palmer, Patterson, Sanford, Shepard, Steele, Voris, Whiting, Williamson—17.

Mr. McGrath (by unanimous consent) called up Senate bill, No. 270, for "An act to authorize the corporate authorities of any city in this State to establish and maintain gas works and to purchase or lease gas works and make additions thereto," which having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 32, nays 2.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Canfield, Casey, Castle, Crews, Cummings, Cunningham, Cusey, Glenn, Hampton, Henry, Hincheliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Starne, Steele, Voris, Whiting, Wilcox, Williamson, Youngblood—32.

Messrs. Ferrell and Warren voted in the negative.

Mr. McGrath offered the following amendment to the title of the bill, which was adopted:

Amend the title of said bill so that it shall read as follows: A bill for "An act to authorize the corporate authorities of any city in this State, having a population of over two hundred thousand inhabitants, to provide for a supply of illuminating gas."

The title as amended was adopted.

Ordered that the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Baldwin (by unanimous consent) called up Senate bill, No. 581, for "An act to provide for the compiling, publishing and distribution of the statutes of the State."

Which was taken up, read at large a first time, and ordered to a second reading, and,

On motion of Mr. Baldwin,

Referred to the committee on printing.

Mr. Williamson (by unanimous consent) called up Senate bill, No. 575, for "An act to set off from incorporated towns certain territory which by the county board has been formed into a new town, or part thereof," for consideration by sections.

Section 1 was adopted.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

On motion of Mr. Canfield,

The Senate, at 12:35 o'clock P. M., adjourned until 2:30 o'clock P. M.

### TWO-THIRTY O'CLOCK, P. M.

Senate met, pursuant to adjournment.

House bill, No. 605, for "An act to revise the law in relation to apprentices," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 28, nays 4.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Canfield, Casey, Cummings, Cusey, Ferrell, Glenn, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Voria, Warren, Whiting, Wilcox, Williamson, Youngblood—28.

Those voting in the negative are,

Messrs. Burke, Crews, Kehoe, Sterne—4.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

House bill, No. 620, for "An act to revise the law in relation to common law," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 1.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Canfield, Casey, Cummings, Ferrell, Glenn, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, McGrath, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Sterne, Steele, Voria, Warren, Whiting, Williamson, Youngblood—29.

Mr. Cusey voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

House bill, No. 638, for "An act to revise the law in relation to county treasurer," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Canfield, Castle, Crews, Cummings, Cunningham, Cusey, Ferrell, Hampton, Henry, Hinchcliffe, Hundley, Kehoe, McGrath, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Sterne, Steele, Voria, Warren, Whiting, Wilcox, Williamson—29.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Sheldon (by unanimous consent), from the committee on federal relations, to which was referred a memorial and resolutions relative to the Kansas Pacific and Union Pacific Railroads, made the following report :

Your committee, to whom was referred the above named memorial and resolutions, beg leave to report: That they have had the same under consideration and find that the controversy therein set forth between the Kansas Pacific and the Union Pacific railroad companies, is one involving the legal construction of certain "acts" of Congress, referred to in said memorial and resolutions—the Kansas Pacific claiming that, by the provisions of said "acts," the Union Pacific is required to prorate with them in all charges for freight and passengers, passing over their road and over that portion of the Union Pacific road between Cheyenne and Ogden, the western termini of the Union Pacific; in fact, that both roads should be operated as one continuous line. The Union Pacific company most emphatically deny that, by said acts, they are required to prorate or operate their road, or any part thereof, as one continuous line in connection with the Kansas Pacific road. They further say, that if the "acts" of Congress referred to in the memorial require them to so operate their road, that it is a matter for the courts to construe said "acts" and settle the right and determine the obligations of the parties, and is not a subject about which the State of Illinois should interfere.

In view of the contradictory statements made by both parties, your committee have been unable to come to any conclusion as to what action the Senate should take in the matter, and have therefore instructed me to report back the memorial and resolutions without any recommendation as to what action the Senate should take. That the Senate may more fully understand the views of the parties to this controversy, the committee append a written communication from the officers of each of said companies, and ask that they be made a part of this report.

J. C. SHELDON,

*Ch'm. Com. on Federal Relations.*

The undersigned, members of the committee on federal relations, beg leave to dissent from that part of the report which instructs the chairman to report back the memorial and resolutions without recommendation. We believe, in view of the statements made by the parties before the committee, and partially set forth in the foregoing report, that the memorial and resolutions should not be adopted by the Senate, or any further action had thereon, as the whole matter is a controversy between the Kansas Pacific and Union Pacific railroad companies, and in our opinion should be settled by the courts.

C. M. FERRELL,  
J. C. SHELDON.

PRESIDENT'S OFFICE, KANSAS PACIFIC RAILWAY CO.,  
St. Louis, February 11, 1874.

HON. J. C. SHELDON, *Chairman Committee on Federal Relations, Senate of Illinois:*

DEAR SIR: Permit me to state, for the use of your committee and of the Senate, that the Kansas Pacific Railway Company does not ask from the United States any grant of land or bonds, or relief from any obligation, but only that the promise of Congress may be kept good by such legislation as will enforce their acts now on the statute books.

Relying on the acts of Congress which required the company to connect with the Union Pacific Railroad at Cheyenne, and expecting that in accordance with the 15th section of the act of July 2, 1864, that the road would be treated as a part of a "continuous line," and would enjoy the "equal advantages and facilities provided for," this company built and put in operation, without land subsidy, 351 miles of road (including Denver Pacific Division), in a region affording along most of the line no local trade, and where through business was to be the main dependence. On this part of their line (beyond the termini of the bond-subsidy), bonds were issued, and in good faith sold, under the belief, both on the part of the company and the purchasers, that the provisions of the acts of Congress would be observed.

On 394 miles of road which received bond-subsidy of \$16 per mile, (from Kansas City to a point near Sheridan, Kas.) the company is indebted to the U. S. \$6,300,000 for principal; and the earnings by government transportation having been insufficient to pay interest in full, there is a balance owing on this account also.

This debt is a second lien on 394 miles of road only, and in event of a sale under the first lien would be lost.

In order to pay interest on the first mortgage bonds secured on this 394 miles, and also interest on the bonds secured on the more distant parts of the line, the company needs all the business rightfully belonging to it.

No one in the company, so far as I know, has any idea of permitting a sale of the road under the first lien so as to cut off the government security, if such event can be prevented. On the contrary it is the desire and intention of the stockholders and directors to keep the government lien good if they can, and also to pay interest on it—preferring, of course, to pay the interest by transportation service, as stipulated in the acts of Congress, and as was expected when the road was built—but at all events, so far as their means may allow, to discharge the obligation.

It is no part of this company's policy to permit an accumulation of unpaid interest on the government bonds with intent to permit a sale of the road to favored bondholders under the first mortgage, and thus defraud the United States. But by the arbitrary and illegal action of the Union Pacific Railroad Company the Kansas Pacific Railway has been deprived of its proper share of the traffic on which it relied to pay interest and keep the government security good.

Had the "equal advantages and facilities," promised in the acts of Congress of July 1st, 1862, July 2d, 1864, and March 3d, 1869, been enjoyed by the Kansas Pacific Railway since the connection was made at Cheyenne, it would have been able not only to pay with ease the interest on the first mortgage, but also to keep down the Government interest account, even without relying on transportation in the government service to pay it, as privileged to do under the law.

These facts show that the United States treasury has an indirect interest in having justice done, so that the lien of the Government may hereafter, as heretofore, be kept good.

The interest of the people at large, and especially those of the central part of the country, in the equal rates and choice of routes intended in the acts of Congress, is so plain as to need no comment.

The question at issue between the Kansas Pacific and Union Pacific railroad companies is therefore not confined to them and to the other subsidized branches, but reaches even to the government treasury, and is of such interest to the people as to fully justify the directors (as they believe,) in appealing to the Legislature of Illinois to join in demanding the execution of the laws.

I am, very respectfully, your obedient servant,  
ADOLPHUS MEIER, Vice-President.

OMAHA, NEBRASKA, February 7, 1874.

HON. J. C. SHELDON, *Chairman of Committee on Federal Relations:*

DEAR SIR: At the session of Congress of 1871-2 the Kansas Pacific Railway Company applied to Congress for the same relief for which they now ask your committee to memorialize Congress. They were represented by Hon. J. P. Henderson, then late a Senator in Congress, and Mr. Carr, their President. Before the Pacific railroad committees, both of the Senate and House, full and protracted hearings were had on both sides. The result was, that after being fully advised, both committees declined to interfere by legislation. Though no formal action was ever taken, it was understood that the committees were clearly of the opinion that it would be grossly unjust to compel us to prorate with that company, and that if we had really violated the provisions of section 15, act of July 2, 1864, its interpretation, and the remedy for any breach of its provisions, was the proper duty of the courts. Accordingly, on the 11th of September, 1872, the Kansas Pacific commenced in the District Court of Arapahoe county, Colorado, two suits vs. the Union Pacific—one an equity suit to enjoin us from continuing the alleged discrimination against it, the other on the law side of the court, to recover damages for past alleged discriminations. The Kansas Pacific Company has never pressed these suits, but has allowed them to drift along, now nearly eighteen months, without showing any disposition to press them to a hearing. It is true we made some objections to the service by which they attempted to bring us into that court, but in the law case our objections were not sustained, and in the equity case they afterwards perfected their service. We have always been anxious and willing to submit our duties and obligations under that section to the judgment of a competent court, and abide the result, but we have been unwilling to be dragged into a remote territorial court, in a community wholly in the interest of the Kansas Pacific, when a judge of such universally recognized ability and integrity as the Hon. John F. Dillon, judge of the Eighth Judicial Circuit, presides over the district in which the headquarters of both companies is situated. The relief asked by the Kansas Pacific proceeds upon the supposition that we have violated and set at defiance section 15 of the act mentioned. Yet no court has ever so declared, and that company has for four years failed to bring the matter to a judicial test. It hardly seems to me, under these circumstances, that it is treating us fairly for your committee to assume that we are violators of law, and memorialize Congress to assail us. It seems to me it will be time enough for that when our alleged offenses have been established in a judicial trial or hearing, upon a full production of all the facts which compulsory process open to each party.

I have omitted to state that, for the purpose of availing themselves of a still more summary remedy, that company procured to be incorporated into the 4th section of the Appropriation Bill of March 3, 1873 (Stat. at Large, 72-73, p. 500), a provision that "the proper circuit court of the United States should have jurisdiction in cases of *mandamus* to compel the Union Pacific to operate its road as required by law," thus extending the jurisdiction in cases of *mandamus*, as against the Union Pacific in favor of the Kansas Pacific, to a state of facts upon which it could not previously have been invoked. Here is a summary remedy given at their own instance and without objection from us, of which they have not availed, or sought to avail, themselves. The truth is, that what they seek is, not to enforce obligations imposed by the charter which brought us both into existence and fixed our rights, duties and obligations, but to burden us with new conditions and restrictions, the practical effect of which will be to compel us to do their business for less than they receive for it, mile for mile, make it impossible for us to compete with the Pacific Mail Steamship Company, when the west half of our road—from Cheyenne to Ogden—over which we would carry the Kansas Pacific business, is three times as expensive both to construct and operate as either theirs or ours east of that point. The legislation asked for should properly be entitled "An act to abolish the distinction between mountains and plains, and to build and operate a railroad over mountain ranges at the same cost and expense as upon a dead level."

As being still applicable, and stating in brief compass our ground in this matter, I inclose you a printed statement, submitted by me to the Pacific Railroad committees when these questions were agitated before them.

One word more in respect to the statement contained in the memorial of the Kansas Pacific, inclosed by you: That by reason of the action of the Union Pacific, "the people of Illinois and other States are excluded from the fair and reasonable intercourse with the Pacific States to which the act of Congress entitles them." What is the fact? The eastern terminus of the Kansas Pacific is Kansas City. All

business of Missouri, Illinois, and other States *must* make that point, or one nearer Omaha, to avail itself of the alleged superior facilities of that road. The distance from Kansas City to Cheyenne, via the Kansas Pacific, according to its own statement, is 745 miles. Reference to official tables of distances, as published by the General Ticket Agent Association, will show the distance from Kansas City to Cheyenne, via Omaha, to be 720 miles, viz: from Kansas City to Omaha, via Kansas City, St. Joseph and Council Bluffs Railroad, 204 miles; Omaha to Cheyenne, 516 miles; making a difference, in favor of the Omaha route, of 25 miles. The simple statement of the fact explodes the absurd pretensions of the Kansas Pacific, that the people of Missouri, Illinois, and other States "are excluded from fair and reasonable intercourse with the Pacific States."

In respect to the statement, that our refusal to observe the law "is the principal cause which has produced the financial embarrassments of the Kansas Pacific Company," reference to their statement, submitted to their creditors and published about the time of their default in the payment of the interest on their first mortgage bonds—if you have it at hand—will show that therein that company attributed its pecuniary embarrassment to its misappropriation of its earnings to the construction of branches and feeders, in which the Federal government was in no way interested, instead of applying it to the payment of such interest, and thus protecting the interest of the United States in the road.

If the Union Pacific had devoted its earnings to enterprises of private and individual interest, instead of devoting them to the payment of the interest on its funded debt, it would have been no better able to pay such interest than the Kansas Pacific. An impartial arbitrator will hardly lay at our door the fault which they themselves allege as their own in excuse of default to their creditors.

I have thus, as briefly as possible, sought to suggest, rather than develop in detail, the main features of this controversy. I submit that it is a question in which the people of Illinois have only a general and not a special interest. That it is a controversy between two railroads, growing out of a different construction of a law made for both, whose interpretation and construction ought to be left to the courts, and not forestalled against us by legislation; and that the great State of Illinois, which, in my judgment, has no more interest in this controversy than Massachusetts, ought to leave us to fight out this battle on fields of our own choosing, viz., the Federal courts.

With many thanks for the kindness and impartial spirit shown in apprising us of the nature of the action sought, and giving an opportunity to be heard, I am,

With the highest respect,

Your obedient servant,

A. J. POPPLETON,  
Attorney U. P. R. R. Co.

On motion of Mr. Sheldon,

The report of the committee was ordered printed.

Mr. Casey moved that the report of the committee be made the special order for Wednesday, February 25, at 3 o'clock P. M.

Mr. Reynolds moved to amend by making it the special order for Wednesday, February 25, 1874, at 7:30 o'clock P. M.; which amendment was adopted, and

The motion, as amended, was adopted.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly engrossed, on February 20, 1874, viz:

Senate bill, No. 575, for "An act to set off from incorporated towns certain territory which, by the county board, has been formed into a new town, or part thereof."

On motion of Mr. McGrath,

The rules were suspended, and Mr. Cusey (by unanimous consent), from the committee on roads, highways and bridges, to which was referred Senate bill, No. 576, for "An act to amend sections 59 and 62 of 'an act in regard to roads and bridges, in counties under township organization,' approved April 11, 1873," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading, and,

On motion of Mr. Cusey,

The rules were suspended, and the bill was read at large a second time, and ordered on file to be considered by sections, and,

On motion of Mr. Starne,

The rules were further suspended, and the bill was discharged from the order of consideration by sections.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Shepard (by unanimous consent), from the committee on appropriations, to which was referred Senate bill, No. 556, for "An act to

authorize the removal of the feeder dam across the Calumet river, near Blue Island, in Cook county, in the State of Illinois, and to provide compensation to Christian Pfeiffer and John Roll for any loss they may sustain by its removal," reported the same back, with amendment, and without recommendation.

On motion of Mr. Whiting,

The bill was ordered on file to be considered by sections.

Senate bill, No. 575, for "An act to set off from incorporated towns certain territory which, by the county board, has been formed into a new town, or part thereof," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 27, nays 1.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Canfield, Castle, Crews, Cummings, Cusey, Farrell, Glenn, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Nicholson, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Warren, Whiting, Williamson, Yager—27.

Mr. Palmer voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Sanford (by unanimous consent), from the committee on judiciary, to which was referred Senate bill, No. 455, for "An act to revise the law in relation to husband and wife," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

The bill was ordered on file, and the amendments were ordered printed.

House bill, No. 647, for "An act to revise the law in relation to names," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Canfield, Casey, Crews, Cummings, Cusey, Farrell, Glenn, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, McGrath, Nicholson, Palmer, Patterson, Reynolds, Shepard, Starnes, Steele, Voria, Warren, Whiting, Wilcox, Williamson, Yager—29.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Palmer (by unanimous consent) offered the following resolution:

*Resolved*, That when the Senate adjourns this day, it stand adjourned until 6 o'clock P. M., on Monday, February 23, 1874.

Mr. Palmer moved to suspend the rules, for the purpose of considering the resolution.

Pending which, at 3:40 o'clock P. M.,

Mr. Starnes moved that the Senate adjourn until Monday, February 23, at 6 o'clock P. M.

The question being, "Shall the Senate adjourn until Monday next, at 6 o'clock P. M.?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Burke, Casey, Cusey, Farrell, Glenn, Hinchcliffe, Kehoe, McGrath, Nicholson, Palmer, Patterson, Reynolds, Shepard, Starnes, Warren, Williamson, Yager—18.

Those voting in the negative are,

Messrs. Baldwin, Canfield, Castle, Crews, Cummings, Hampton, Henry, Hundley, Jacobs, Sanford, Steele, Whiting—12.

**MONDAY, FEBRUARY 23, 1874—6 O'clock P. M.**

Senate met, pursuant to adjournment of Friday, February 20, 1874.  
The journal of Friday, February 20, 1874, was being read, when,

On motion of Mr. Cummings,

The further reading of the same was dispensed with.

On motion of Mr. Williamson,

The Senate, at 6 o'clock P. M., adjourned.

**TUESDAY, FEBRUARY 24, 1874—10 O'clock A. M.**

Senate met, pursuant to adjournment.

The journal of yesterday was read and approved.

Mr. Williamson presented petitions from certain bankers and insurance agents of Chicago, Cook county, Illinois, relating to warehousing of grain; which, on his motion, were referred to the committee on warehouses.

Mr. Crews presented a petition of C. Pontlet, of Vincennes, Indiana, relating to certain lands; which, on his motion, was referred to the committee on state charitable and educational institutions.

Mr. Dow presented a petition from citizens of Chicago, praying for a repeal of the present law regulating railroads; which, on his motion, was referred to the committee on railroads.

Mr. Crews (by unanimous consent) introduced Senate bill, No. 584, for "An act to enable the board of supervisors of Lawrence county to acquire title to the south part of the southwest quarter of section number three, town two north, range eleven west, seventy-three acres, and to hold and dispose of the same for the use of the pauper fund of said county."

Which was ordered to a first reading, and,

On motion of Mr. Crews,

The rules were suspended, and the bill was read at large a first time, and ordered to a second reading and referred to the committee on state charitable and educational institutions.

Mr. Henry (by unanimous consent) introduced Senate bill, No. 585, for "An act to amend an act entitled 'an act to revise and consolidate the several acts relating to the protection of game, and for the protection of deer, wild fowl and birds, and to repeal certain laws,' approved May 3, 1873."

Which was ordered to a first reading.

Mr. Waite (by unanimous consent) called up Senate bill, No. 567, for "An act to amend 'an act to provide for changing the names, for changing the places of business, for increasing or decreasing the capital stock, for increasing or decreasing the number of directors, and for the consolidation of incorporated companies.'"

Which was read at large a first time, and ordered to a second reading.

Mr. Shepard (by unanimous consent) called up House bill, No. 788, for "An act to repeal an act entitled 'an act to vacate the plat of the western addition to Rock Island City, and to restore the right thereby divested.'"

Which was read at large a second time, and ordered on file to be considered by sections.

House bill, No. 486, for "An act to restrict solitary confinement to certain cases in the Illinois State Penitentiary," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 18, nays 8.

Those voting in the affirmative are,

Messrs. Baldwin, Canfield, Crews, Cusey, Dow, Glenn, Hampton, Henry, Hinchcliffe, Jacobs, Murphy, Nicholson, Patterson, Shepard, Thompson, Waite, Whiting, Williamson—18.

Those voting in the negative are,

Messrs. Brown, Castle, Cummings, Hundley, Palmer, Reynolds, Strong, Warren—8.

Mr. Reynolds entered a motion to reconsider the vote whereby the bill was lost.

Mr. Strong, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly engrossed :

Senate bill, No. 576, for "An act to amend sections 59 and 62 of 'an act in regard to roads and bridges in counties under township organization,' approved April 11, 1873."

House bill, No. 649, for "An act to revise the law in relation to oaths and affirmations," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 28, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Canfield, Castle, Crews, Cummings, Cusey, Dow, Glenn, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Murphy, Nicholson, Palmer, Patterson, Reynolds, Shepard, Steele, Strong, Thompson, Voria, Waite, Warren, Whiting—28.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

House bill, No. 652, for "An act to revise the law in relation to State library," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 26, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Canfield, Castle, Crews, Cummings, Cusey, Dow, Glenn, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Nicholson, Palmer, Reynolds, Shepard, Steele, Strong, Thompson, Voria, Waite, Warren, Whiting—26.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Cummings,

Leave of absence was granted Mr. Archer.

On motion of Mr. Reynolds,

Leave of absence was granted Mr. Sanford.

On motion of Mr. Brooks,

Leave of absence was granted Senators Casey and Lee.

On motion of Mr. Steele,

Leave of absence was granted Senator Upton until Friday next.

On motion of Mr. Cusey,

Leave of absence was granted Mr. Ware.



On motion of Mr. Nicholson,

A call of the Senate was ordered, when the following answered to their names :

Messrs. Baldwin, Brooks, Brown, Canfield, Castle, Crews, Cummings, Cusey, Dow, Glenn, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Murphy, Nicholson, Palmer, Patterson, Reynolds, Shepard, Steele, Strong, Thompson, Voria, Waite, Warren, Whiting, Williamson—29.

And it appearing, from the call, that a quorum answered to their names, further proceedings under the same were dispensed with.

Mr. Waite (by unanimous consent) called up Senate bill, No. 568, for "An act to authorize the county board to add to and disconnect territory from cities, towns and villages."

Which was read at large a first time, and ordered to a second reading, and,

On motion of Mr. Thompson,

Referred to the committee on municipalities.

House bill, No. 655, for "An act to amend an act entitled 'an act concerning bail in civil cases,' approved January 22, 1872," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Canfield, Castle, Crews, Cummings, Cusey, Dow, Glenn, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Murphy, Nicholson, Palmer, Patterson, Reynolds, Shepard, Steele, Strong, Thompson, Voria, Waite, Warren, Whiting, Williamson—29.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 24th day of February, 1874, laid before the Governor for his approval, viz :

House bill, No. 644, for "An act to revise the law in relation to joint rights and obligations."

House bill, No. 638, for "An act to revise the law in relation to county treasurers."

House bill, No. 620, for "An act to revise the law in relation to the common law."

House bill, No. 604, for "An act to revise the law in relation to amendments and jeofails."

House bill, No. 646, for "An act to revise the law in relation to mandamus."

House bill, No. 605, for "An act to revise the law in relation to apprentices."

The President, at 11 o'clock A. M., announced the time for the consideration of the special order, being bills on second reading by sections.

Senate bill, No. 243, for "An act in relation to the payment of the interest on the registered municipal bonds which may have been or may be issued to railroad companies by counties, towns and cities in this State," was taken up for consideration by sections, and,

On motion of Mr. Cummings,

Laid on the table until July 4, A. D. 1874.

Senate bill, No. 25, for "An act in relation to grand and petit juries in circuit courts," was taken up for consideration by sections.

Mr. Waite moved that the bill lie on the table.

The question being, "Shall the bill lie on the table?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Brooka, Brown, Canfield, Cusey, Dow, Hampton, Jacobs, Nicholson, Patterson, Shepard, Strong, Waite, Whiting, Williamson—15.

Those voting in the negative are,

Messrs. Castle, Crews, Cummings, Glenn, Henry, Hinchcliffe, Hundley, Murphy, Palmer, Thompson, Warren—11.

Senate bill, No. 349, for "An act to amend an act entitled 'an act for the assessment of property and for the levy and collection of taxes,' approved March 30th, 1872," was taken up for consideration by sections.

On motion of Mr. Nicholson,

Recommended to the committee on revenue.

Senate bill, No. 343, for "An act making appropriations for the Northern Illinois Hospital and Asylum for the Insane at Elgin," was taken up for consideration by sections, and,

On motion of Mr. Canfield,

Ordered to lie on the table.

Senate bill, No. 418, for "An act to provide for copying and recording the laws, joint resolutions and journals of the General Assembly," was taken up for consideration by sections, and,

On motion of Mr. Strong,

Ordered to lie on the table.

Senate bill, No. 377, for "An act for the suppression of the trade in and the circulation of obscene literature, illustrations, advertisements and articles of indecent or immoral use, and obscene advertisements of patent medicines and articles for producing abortion," was taken up for consideration by sections, and,

On motion of Mr. Reynolds,

Ordered to lie on the table.

House bill, No. 323, for "An act to amend section 45 of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' in force July 1, 1872," was taken up for consideration by sections, and,

On motion of Mr. Cummings,

Ordered to lie on the table.

House bill, No. 266, for "An act entitled 'an act concerning all cities in this State within the limits of which there is or are no town, towns or parts thereof, organized under any township organization law and situated in any county which has heretofore adopted and is now acting under township organization laws, defining the relative rights of such cities and counties as regards county taxes, representation in the county board of supervisors, and securing the same and providing for the assessment, levy and collection of taxes in such cities,' was taken up for consideration by sections.

On motion of Mr. Cummings,

The rules were suspended, and the bill was discharged from consideration by sections.

And the question being, "Shall this bill be read a third time?" it was decided in the affirmative.

House bill, No. 179, for "An act to provide for the qualification of State's attorneys," was taken up for consideration by sections, and,

On motion of Mr. Waite,

Referred to the joint committee on revision.

Senate bill, No. 94, for "An act to prevent appeals from the judgments of justices of the peace in certain cases," was taken up for consideration by sections, and,

On motion of Mr. Baldwin,

The rules were suspended, and the bill was discharged from consideration by sections.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

On motion of Mr. Whiting,

Senate bill, No. 563, for "An act to investigate the alleged overflow of lands by the dam on the Illinois river at Henry," was taken up for consideration by sections.

Section 1 was adopted.

The question being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 179, for "An act to amend an act entitled 'an act to establish a board of railroad and warehouse commissioners and prescribe their powers and duties,' approved April 13th, 1871," was taken up for consideration by sections, and,

On motion of Mr. Steele,

The bill was made the special order for Thursday, February 26th, A. D. 1874, at 10 o'clock A. M.

Senate bill, No. 370, for "An act requiring banking associations to make quarterly reports and providing for an examination of such associations," was taken up for consideration by sections.

Sections 1, 2, 3, 4 and 5 were adopted.

Mr. Cummings moved to refer the bill to the committee on judiciary; which motion was decided in the negative.

Mr. Cummings moved that the bill lie on the table.

The question being, "Shall the bill lie on the table?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brown, Cummings, Voris, Waite, Warren—5.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Canfield, Castle, Crews, Cusey, Donahue, Dow, Glenn, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Nicholson, Palmer, Patterson, Reynolds, Shepard, Strong, Thompson, Whiting, Williamson—23

On motion of Mr. Voris,

The further consideration of the bill was postponed to and made the special order for Thursday, February 26, 1874, at 2:30 o'clock P. M.

Mr. Canfield, at 11:50 o'clock A. M., moved that the Senate adjourn until 2:30 P. M.; which motion was decided in the negative.

Mr. Cummings, at 11:53 o'clock A. M., moved that the Senate adjourn.

The question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Canfield, Cummings, Hinchcliffe, Hundley, Palmer, Warren—7.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Castle, Crews, Dow, Glenn, Hampton, Henry, Jacobs, Murphy, Nicholson, Patterson, Reynolds, Shepard, Strong, Thompson, Voria, Waite, Whiting, Williamson—20.

Mr. Brown (by unanimous consent) introduced Senate bill, No. 586, for "An act to authorize boards of county commissioners in counties not under township organization to fix the salaries and compensation of county officers."

Which was ordered to a first reading.

On motion of Mr. Brown,

The rules were suspended, and the bill read at large a first time and ordered to a second reading and referred to the committee on judiciary.

Mr. Glenn (by unanimous consent) introduced Senate bill, No. 587, for "An act to amend an act entitled 'an act concerning circuit courts, and to fix the times for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook,' approved May 2, 1873."

Which was ordered to a first reading.

On motion of Mr. Glenn,

The rules were suspended, and the bill was read at large a first time, and ordered to a second reading.

On motion of Mr. Dow,

Senate bill, No. 489, for "An act in relation to the office of chancellor in universities of learning," was taken up for consideration by sections.

The pending question being, "Shall the Senate adopt the amendment reported from the committee on education?" it was decided in the affirmative.

Sections 1 and 2 of the bill were adopted.

And the question being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Cummings, at 12 o'clock, M., moved that the Senate adjourn until 2:30 o'clock, P. M.

And the question being, "Shall the Senate adjourn until 2:30 o'clock, P. M.?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brown, Canfield, Cummings, Cusey, Donahue, Hampton, Hinchcliffe, Hundley, Nicholson, Palmer, Patterson, Shepard, Strong, Thompson, Voria, Whiting, Williamson—17.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Castle, Crews, Dow, Glenn, Henry, Jacobs, Reynolds, Waite—10.

## TWO-THIRTY O'CLOCK P. M.

Senate met, pursuant to adjournment.

The President announced the time for the special order, being the consideration of Senate bill, No. 437, for "An act to prevent extortion and unjust discrimination in the rates charged for the transportation of freights on railroads in this State, and to punish the same, and prescribe a mode of procedure and rules of evidence in relation thereto."

Which was read at large a second time, and ordered on file to be considered by sections, and,

On motion of Mr. Voris,

The bill was taken up for consideration by sections.

Mr. Donahue offered the following amendment :

Strike out all after the enacting clause, and insert the following in lieu thereof :

"That all schedules of rates for the transportation of freights and passengers and cars upon the different railroads in this State heretofore prepared by and published by authority of the Railroad and Warehouse Commission, as required by law, shall be deemed and taken in all courts of this State as *prima facie* evidence that the rates therein fixed are reasonable maximum rates for the transportation of freights and passengers and cars on said railroads, for which said schedules are prepared, or which may hereafter be prepared. And any such schedule purporting to be prepared and published, as aforesaid, shall be received in evidence in all the courts of this State as the schedules of rates for the transportation of freights and passengers and cars on the railroad or railroads therein named, prepared by and published by authority of said Railroad and Warehouse Commission, without further proof than the production of said schedules, together with a written or printed certificate of said commission thereto attached that said schedule was prepared and published by authority of said commission, as required by law: *Provided*, that nothing herein shall be held to repeal or in any manner affect any of the provisions contained in an act approved May 2, A. D. 1873, entitled "An act to prevent extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to punish the same, and prescribe a mode of procedure and rules of evidence in relation thereto," and to repeal an act entitled "An act to prevent unjust discriminations and extortions in the rates charged by the different railroads in this State for the transportation of freights on said roads," approved April 7, A. D. 1871.

"§ 2. It is hereby declared that an emergency exists; therefore, this act shall be in force from and after its passage."

Mr. Crews offered the following amendment to the amendment, which was lost :

Amend the amendment by striking out the words "*prima facie*," in line 5, and insert in lieu thereof the word "conclusive."

The question then being, "Shall the amendment offered by Mr. Donahue be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote :

Those voting in the affirmative are,

Messrs. Castle, Cusey, Donahue, Glenn, Jacobs, Nicholson, Patterson, Shepard, Waite, Whiting, Williamson—11.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Brown, Crews, Cummings, Dow, Hampton, Hinchcliffe, Hundley, Murphy, Palmer, Reynolds, Starne, Steele, Voris, Warren—16.

On motion of Mr. Cummings,

The further consideration of the bill was postponed to and made the special order for Wednesday, February 25, A. D. 1874, at 2:30 o'clock, P. M.

Senate bill, No. 184, for "An act to prevent cruelty in contest of skill or for wages," was taken up for consideration by sections.

Sections 1 and 2 were adopted.

And the question being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 310, for "An act to insure the better professional education of practitioners of dental surgery in the State of Illinois," was taken up for consideration by sections.

Sections 1, 2, 3 and 4 were adopted.

Mr. Starne offered the following amendment, which was adopted :

Amend section 5, by striking out the words "physicians and surgeons," in the last line, and insert the words "any one."

Mr. Crews offered the following amendment :

Amend by striking out the enacting clause of the bill.

The question being, "Shall the enacting clause of the bill be stricken out?" and the yeas and nays being demanded, it was decided in the negative by the following vote :

Those voting in the affirmative are,

Messrs. Castle, Crews, Hundley, Jacobs—4.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Brown, Canfield, Casey, Dow, Glenn, Hampton, Hinchcliffe, Murphy, Nicholson, Palmer, Patterson, Reynolds, Shepard, Starne, Steele, Thompson, Waite, Warren, Whiting, Williamson—22.

Section 5, as amended, was adopted.

And the question being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Strong, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed :

Senate bill, No. 94, for "An act to prevent appeals from the judgments of justices of the peace in certain cases."

Senate bill, No. 489, for "An act in relation to the office of chancellor in universities of learning."

Senate bill, No. 563, for "An act to investigate the alleged overflow of lands by the dam on the Illinois river at Henry."

On motion of Mr. Nicholson,

The vote whereby Senate bill, No. 184, for "An act to prevent cruelty in contests of skill or for wager," was ordered engrossed and printed for a third reading, was reconsidered.

On motion of Mr. Nicholson,

The vote whereby section 2 was adopted was reconsidered.

Mr. Nicholson offered the following amendment, which was adopted :

In section 2, strike out the words "and liable to indictment," in second line.

Section 2, as amended, was adopted.

The question then being, "Shall this bill be engrossed and printed for a third reading?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Crews, Casey, Glenn, Hampton, Jacobs, Nicholson, Palmer, Patterson, Reynolds, Steele, Waite, Whiting, Williamson—15.

Those voting in the negative are,

Messrs. Brooks, Canfield, Cummings, Dow, Hinchcliffe, Hundley, Murphy, Shepard, Starne, Voria, Warren—11.

On motion of Mr. Canfield,

The Senate, at 4:20 o'clock P. M., adjourned.

WEDNESDAY, FEBRUARY 25, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by the Rev. Mr. Gregg.

The journal of yesterday was being read, when,

On motion of Mr. Shepard,

The further reading of the same was dispensed with.

The President announced the time for the special order, being the consideration of House bill, No. 653, for "An act to revise the law in relation to township organization."

Mr. Jacobs (by unanimous consent) offered the following amendment, which was adopted:

Amend article 5, section 1, by striking out the words "or town clerk," 7th line.

House bill, No. 653, for "An act to revise the law in relation to township organization," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 37, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Canfield, Castle, Crews, Cummings, Cusey, Donahue, Dow, Glenn, Gundlach, Hampton, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starnes, Steele, Strong, Thompson, Voris, Waite, Warren, Whiting, Wilcox, Williamson, Mr. President—37.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and having received a vote of two-thirds of the members elected, was declared passed.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The President, at 11 o'clock A. M., announced the time for the special order, being Senate bill, No. 447, for "An act to revise the law in relation to county courts;" which, having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 26, nays 5.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Castle, Cummings, Cusey, Dow, Glenn, Gundlach, Hampton, Hundley, Kelly, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Starnes, Strong, Thompson, Voris, Waite, Warren, Whiting, Williamson—26.

Those voting in the negative are,

Messrs. Crews, Donahue, Jacobs, Steele, Wilcox—5.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and laid before the Governor for his approval, to-wit:

Senate bill, No. 453, for "An act to revise the law in relation to the General Assembly."

House bill, No. 645, for "An act to revise the law in relation to partnerships," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 32, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Canfield, Castle, Crews, Cummings, Cusey, Donahue, Dow, Glenn, Gundlach, Hampton, Jacobs, Kehoe, Kelly, Murphy, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Starnes, Steele, Strong, Thompson, Voris, Waite, Warren, Whiting, Wilcox, Williamson, Mr. President—32.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Dow moved to suspend the rules for the purpose of taking up, for a third reading, House bill, No. 149, for "An act to appropriate \$50,000 to complete the Douglas monument at Chicago."

The question being, "Shall the rules be suspended to consider this bill?" and the yeas and nays being demanded, it was decided in the negative by the following vote (two-thirds not voting in the affirmative):

Those voting in the affirmative are,

Messrs. Brooks, Brown, Canfield, Cusey, Dow, Glenn, Gundlach, Kehoe, Kelly, McGrath, Palmer, Reynolds, Sanford, Starnes, Thompson, Voris, Waite, Williamson—18.

Those voting in the negative are,

Messrs. Baldwin, Crews, Cummings, Hampton, Jacobs, Nicholson, Sheldon, Strong, Warren, Whiting, Wilcox—11.

Mr. Reynolds called up his motion, entered on yesterday, to reconsider the vote whereby House bill, No. 486, for "An act to restrict solitary confinement to certain cases in the Illinois State Penitentiary," was lost.

The question then being, "Shall the vote whereby the bill was lost be reconsidered?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Canfield, Crews, Cusey, Dow, Glenn, Hampton, Jacobs, Kehoe, McGrath, Murphy, Nicholson, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Thompson, Upton, Voris, Waite, Whiting, Wilcox, Williamson, Mr. President—26.

Those voting in the negative are,

Messrs. Brown, Castle, Cummings, Donahue, Kelly, Palmer, Starnes, Warren—8.

And the question then being, "Shall this bill pass?" it was decided in the negative—yeas 22, nays 12.

Those voting in the affirmative are,

Messrs. Baldwin, Canfield, Crews, Cusey, Donahue, Dow, Glenn, Gundlach, Hampton, Jacobs, Kehoe, McGrath, Murphy, Nicholson, Reynolds, Sanford, Steele, Waite, Whiting, Wilcox, Williamson, Mr. President—22.

Those voting in the negative are,

Messrs. Brooks, Castle, Cummings, Hundley, Kelly, Palmer, Patterson, Shepard, Starnes, Strong, Thompson, Warren—12.

Mr. Donahue called up the motion, entered by Mr. Kehoe on Thursday, February 19, 1874, to reconsider the vote whereby the Senate concurred with the House of Representatives in the adoption of a resolution requesting Congress to pass a law regulating the charges made by railroad companies for the transportation of freights and passengers through or between the States.

On motion of Mr. Donahue,

The motion to reconsider was laid on the table.

House bill, No. 621, for "An act to revise the law in relation to the construction of the statutes," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 26, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Castle, Crews, Cummings, Cusey, Dow, Glenn, Hinchcliffe, Kelly, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Starnes, Steele, Thompson, Waite, Warren, Whiting, Wilcox, Williamson, Mr. President—26.



Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Sanford, (by unanimous consent) from the committee on judiciary, to which was referred Senate bill, No. 60, for "An act to provide the manner of proposing amendments to the constitution and submitting the same to the electors of this State," reported the same back and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Sanford, (by unanimous consent) from the committee on judiciary, introduced Senate bill, No. 588, for "An act to provide the manner of proposing amendments to the constitution and submitting the same to the electors of this State."

Which was ordered to a first reading, and,

On motion of Mr. Sanford,

The rules were suspended, the bill read at large a first time, and ordered to a second reading.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed:

Senate bill, No. 184, for "An act to prevent cruelty in contest of skill or for wager."

Senate bill, No. 310, for "An act to insure the better professional education of practitioners of dental surgery in the State of Illinois."

Mr. Hampton, (by unanimous consent) from the committee on miscellany, to which was referred Senate bill, No. 458, for "An act to revise the law in relation to licenses," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

The bill was ordered on file for a second reading.

Mr. Nicholson, (by unanimous consent) from the committee on revenue, to which was referred Senate bill, No. 349, for "An act to amend an act entitled 'an act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872," reported the same back, and recommended that the bill be laid on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Shepard (by unanimous consent) called up from the table House bill, No. 410, for "An act to amend section one of 'an act making appropriations for the payment of the indebtedness of the Soldiers' Orphans' Home,'" and, on his motion, the bill was recommitted to the committee on appropriations.

On motion of Mr. Cummings,

The Senate, at 12:20 o'clock P. M., adjourned until 2:30 o'clock P. M.

#### TWO-THIRTY O'CLOCK P. M.

Senate met, pursuant to adjournment.

Mr. Whiting (by unanimous consent) offered the following resolution:

WHEREAS, the obstructions at the mouth of the Mississippi will ever remain to cripple commerce, till removed by artificial means; and whereas, the Senate of the United States has passed a bill, which is now pending in the House of Representatives, on this subject; therefore,

*Resolved by the Senate, the House of Representatives concurring herein, That the General Assembly of Illinois commends this enterprise as one of great national interest and almost of vital necessity; and we hereby urge upon Congress to speedily provide for opening an ample and permanent channel from the deep waters of the Mississippi to the open and deep waters of the Gulf, that the vast commerce of the great Valley of the Mississippi may enjoy this natural outlet to the markets of the world.*

*Resolved, That the above be attested by the President of the Senate and the Speaker of the House, and that they cause the same to be transmitted to each of our Senators and Representatives in Congress.*

On motion of Mr. Whiting,

The rules were suspended, and the resolution was taken up for consideration.

The question being, "Shall the resolution be adopted?" it was decided in the affirmative.

A message from the House of Representatives, by Mr. Magie :

Mr. President : I am directed to inform the Senate that the House of Representatives has adopted the following resolution, to-wit :

*Resolved by the House of Representatives, the Senate concurring herein, That the joint special committee on State Institutions, to whom was referred House bill No. 787, be instructed to report said bill back to the House without delay.*

In the adoption of which I am instructed to ask the concurrence of the Senate.

The President announced the time for the special order, being the consideration of Senate bill, No. 437, for "An act to prevent extortion and unjust discrimination in the rates charged for the transportation of freights on railroads in this State, and to punish the same, and prescribe a mode of procedure and rules of evidence in relation thereto," by sections.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, were adopted.

The question being, "Shall the bill be engrossed and printed for a third reading?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Canfield, Casey, Crews, Cummings, Cusey, Dow, Glenn, Gundlach, Hampton, Hinchcliffe, Jacobs, Kelly, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Starne, Steele, Thompson, Voris, Waite, Warren, Williamson—28.

Those voting in the negative are,

Messrs. Donahue, Strong, Whiting—3.

A message from the Governor, by Philo J. Beveridge, Private Secretary :

Mr. President : I am directed by the Governor to inform the Senate that he has approved and signed a bill of the following title, to-wit :

Senate bill, No. 453, for "An act to revise the law in relation to the General Assembly."

House bill, No. 619, for "An act to revise the law in relation to the commitment and detention of lunatics," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 33, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Canfield, Casey, Castle, Cummings, Cusey, Donahue, Dow, Glenn, Gundlach, Hampton, Hinchcliffe, Jacobs, Kelly, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starne, Steele, Strong, Thompson, Waite, Warren, Whiting, Wilcox, Williamson, Mr. President—33.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Crews (by unanimous consent) offered the following resolutions :

WHEREAS, it has been openly charged on the floor of the Senate, at the adjourned session of the Twenty-eighth General Assembly, by an honorable Senator, that the rates or schedule of charges, as fixed and established by the Board of Railway and Warehouse Commissioners, had been prepared by certain distinguished agents and employees of some unknown railroad monopolies, at the special in-

stance and request of the Railway and Warehouse Commission of this State, and that such schedules was thus prepared and adopted in the special interest of such railway monopolies so represented, and in derogation of the rights of the People of the State, who were in nowise counseled or consulted in the preparation of such schedules; now, therefore, in consideration of the foregoing premises, be it

*Resolved by the Senate*, That the Board of Railway and Warehouse Commissioners be and they are hereby respectfully requested to communicate to the Senate such information as they may be in possession of, touching the truth or falsity of the charge that has thus publicly been made against their official conduct in the premises herein referred to.

*And be it further resolved*, That, in further elucidation of the premises herein referred to, the said Board be and they are hereby respectfully requested to communicate to the Senate the reasons that induced them to establish such high rates of charges for the first mile of transportation of freight on the several railroads of this State, as compared with the rates fixed by them for the subsequent miles of transportation on such roads, and what, in their judgment, will be the effect of such onerous charges on the first mile of freights on eastern-bound freights in that portion of the State, say within 30 miles of the eastern boundary from Chicago to Cairo.

Mr. Crews moved to suspend the rules for the purpose of considering the resolutions; which motion was decided in the negative.

House bill, No. 612, for "An act to revise the law in relation to the adoption of children," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 21, nays 12.

Those voting in the affirmative are,

Messrs. Baldwin, Canfield, Castle, Cusey, Gundlach, Hampton, Hinchcliffe, Murphy, Nicholson, Reynolds, Sanford, Sheldon, Shepard, Steele, Strong, Thompson, Waite, Whiting, Wilcox, Williamson—21.

Those voting in the negative are,

Messrs. Brooks, Brown, Casey, Crews, Cummings, Glenn, Jacobs, Kelly, Palmer, Patterson, Starnes, Warren—12.

Mr. Palmer moved to reconsider the vote whereby the bill, House bill, No. 602, for "An act to revise the law in relation to the adoption of children," was lost.

The yeas and nays being called, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Casey, Crews, Cummings, Cusey, Dow, Ferrell, Glenn, Gundlach, Hampton, Hinchcliffe, Jacobs, Kelly, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starnes, Thompson, Waite, Warren, Whiting, Wilcox, Williamson, Mr. President—29.

Mr. Steele voted in the negative.

On motion of Mr. Cummings,

By unanimous consent, the following amendment to the bill, which was adopted by the Senate on February 10th, 1874, was stricken out:

Amend House bill 602, section 3, by inserting in lines 1 and 2, after the word "or," the following words: "if either is insane or imprisoned in the penitentiary, or."

And the question again being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 1.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Canfield, Casey, Crews, Cummings, Cusey, Dow, Glenn, Gundlach, Hampton, Hinchcliffe, Jacobs, Kelly, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starnes, Waite, Warren, Whiting, Wilcox, Williamson, Mr. President—29.

Mr. Strong voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

House bill, No. 601, for "An act to revise the law in relation to abatements," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 27, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Canfield, Casey, Castle, Cummings, Cusey, Donahue, Dow, Glenn, Hampton, Hinchcliffe, Jacobs, Kelly, Nicholson, Palmer, Reynolds, Sanford, Shepard, Starnes, Steele, Warren, Whiting, Wilcox, Williamson, Mr. President—27.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Wilcox (by unanimous consent), from the committee on state charitable and educational institutions, to which was referred Senate bill, No. 584, for "An act to enable the board of supervisors of Lawrence county to acquire title to the south part of the south-west quarter of section number three, town two north, range eleven west, seventy-three acres, and to hold and dispose of the same for the use of the pauper fund of said county," reported the same back, and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading, and,

On motion of Mr. Crews,

The rules were suspended, and the bill was read at large a second time, and ordered on file to be considered by sections.

Mr. Glenn (by unanimous consent) called up Senate bill, No. 587, for "An act to amend an act entitled 'an act concerning circuit courts, and to fix the time for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook,' approved May 2, 1873."

Which was taken up, read at large a second time, and ordered on file to be considered by sections.

On motion of Mr. Glenn,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Shepard (by unanimous consent), from the committee on appropriations, to which was referred House bill, No. 410, for "An act to amend section 1 of 'an act making appropriations for the payment of the indebtedness of the Soldiers' Orphans' Home,'" reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading.

Mr. Baldwin (by unanimous consent) called up Senate bill, No. 368, for "An act to amend an act entitled 'an act to establish and maintain a system of free schools,' approved April 1, 1872," which, having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 3.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Castle, Cummings, Cusey, Donahue, Dow, Glenn, Gundlach, Hampton, Hinchcliffe, Jacobs, Kahoe, Kelly, McGrath, Murphy, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Strong, Waite, Warren, Williamson, Mr. President—29.

Those voting in the negative are,

Messrs. Crews, Whiting, Wilcox—3.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 25th day of February, A. D. 1874, laid before the Governor for his approval, viz :

House bill, No. 655, for "An act to amend an act entitled 'an act concerning bail in civil cases,' approved January 22, 1872."

House bill, No. 649, for "An act to revise the law in relation to oaths and affirmations."

Mr. Crews moved to suspend the rules, for the purpose of taking up the resolution, offered by him to day, calling on the Railroad and Warehouse Commissioners for information.

And the question being, "Shall the rules be suspended for the purpose of considering the resolution?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Brown, Casey, Crews, Cummings, Gundlach, Hinchcliffe, Kehoe, Kelly, McGrath, Murphy, Palmer, Starne—13.

Those voting in the negative are,

Messrs. Castle, Cusey, Donahue, Dow, Hampton, Jacobs, Nicholson, Patterson, Reynolds, Sanford, Shepard, Strong, Thompson, Waite, Warren, Whiting, Wilcox, Williamson, Mr. President—19.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 25th day of February, 1874, laid before the Governor for his approval, viz:

House bill, No. 647, for "An act to revise the law in relation to names."

House bill, No. 652, for "An act to revise the law in relation to the State library."

Mr. Cusey, at 5:20 o'clock P. M., moved that the Senate adjourn until 7:30 o'clock P. M.; which motion was decided in the negative.

House bill, No. 737, for "An act to provide for fees of certain officers therein named, in counties of the third class," having been printed, was read at large a third time.

On motion of Mr. Dow,

The further consideration of the bill was postponed to and made the special order for Friday, February 27, A. D. 1874, at 11 o'clock A. M.

On motion of Mr. Cummings,

The Senate, at 5:30 o'clock P. M., adjourned until 7:30 o'clock P. M.

#### SEVEN-THIRTY O'CLOCK, P. M.

Senate met, pursuant to adjournment.

On motion of Mr. Donahue,

The Senate, at 7:32 o'clock A. M., adjourned.

#### THURSDAY, FEBRUARY 26, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Gregg.

The journal of yesterday was being read, when,

On motion of Mr. Glenn,

The further reading of the same was dispensed with.

Mr. Williamson (by unanimous consent) called up Senate bill, No. 579, for "An act to amend section 15 of an act entitled 'an act to regulate public warehouses and the warehousing and inspection of grain,

and to give effect to article 13 of the constitution of this State,' approved April 25, 1871."

Which was read at large a first time, and ordered to a second reading, and,

On motion of Mr. Williamson,

Referred to the committee on warehouses.

Mr. Reynolds (by unanimous consent), from the committee on insurance, to which was referred Senate bill, No. 208, for "An act relating to the liabilities of and the form of policies for fire insurance companies doing business in Illinois," reported the same back and recommended that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Voris (by unanimous consent) introduced Senate bill, No. 589, for "An act to change starting points and termini of railroads."

Which was ordered to a first reading, and,

On motion of Mr. Voris,

The rules were suspended, and the bill read at large a first time, ordered to a second reading, and referred to the committee on railroads.

Mr. Baldwin (by unanimous consent) called up the following resolution from the House of Representatives:

*Resolved by the House of Representatives, the Senate concurring herein.* That the joint special committee on state institutions, to whom was referred House bill No. 787, be instructed to report said bill back to this House without delay.

The question being, "Shall the Senate concur with the House of Representatives in the adoption of the resolution?" it was decided in the affirmative.

The President announced the time for the special order, being the consideration of Senate bill, No. 179, for "An act to amend an act entitled 'an act to establish a board of railroad and warehouse commissioners and prescribe their powers and duties,' approved April 13, 1871," by sections.

Mr. Cummings moved to suspend the rules, and discharge the bill from consideration by sections; which motion was decided in the negative.

Section 1 of the bill was adopted.

Mr. Wilcox moved that the main question be now put; which motion was decided in the negative.

The question being, "Shall this bill be engrossed and printed for a third reading?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brown, Casey, Crews, Cummings, Dow, Glenn, Gundlach, Hincheliffe, Hundley, Kehoe, Kelly, Murphy, Palmer, Starnes, Thompson, Voris, Warren, Yager—18.

Those voting in the negative are,

Messrs. Baldwin, Canfield, Castle, Cunningham, Cusey, Donahue, Hampton, Jacobs, McGrath, Nicholson, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Strong, Waite, Whiting, Wilcox, Williamson—21.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in their amendments to House bill, No. 653, for "An act to revise the law in relation to township organization."

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly engrossed:

Senate bill, No. 587, for "An act to amend an act entitled 'an act concerning circuit courts, and to fix the times for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook,' approved May 2, 1873."

A message from the House of Representatives, by Mr. Johns :

Mr. President : I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of bills of the following titles, to-wit :

Senate bill, No. 470, for "An act to revise the law in relation to seat of government."

Senate bill, No. 474, for "An act to revise the law in relation to county surveyors and the custody of the United States field notes."

Senate bill, No. 454, for "An act to revise the law in relation to habeas corpus."

Mr. Hampton called up the motion entered by Mr. Dow, on Thursday, February 19, 1874, to reconsider the vote whereby the Senate adopted the resolution offered by Mr. Casey, requesting the Governor to nominate five Commissioners for the Southern Illinois Penitentiary, as provided by the act of the Legislature, approved February 28, 1867.

Mr. Casey moved to postpone the further consideration of the pending motion to and make it the special order for Tuesday, March 3, 1874, at 2:30 o'clock P. M.

The question being, "Shall the further consideration of the motion be postponed until Tuesday, March 3, 1874, at 2:30 o'clock P. M.?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Brown, Canfield, Casey, Crews, Cummings, Cunningham, Donahue, Dow, Glenn, Gundlach, Hinchcliffe, Hundley, Kehoe, Kelly, McGrath, Murphy, Starnes, Steele, Thompson, Voris, Waite, Warren, Williamson, Yager—24

Those voting in the negative are,

Messrs. Castle, Casey, Hampton, Jacobs, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Strong, Whiting, Wilcox—14.

On motion of Mr. Williamson,

The Senate, at 12:15 o'clock P. M., adjourned until 2:30 o'clock P. M.

## TWO-THIRTY O'CLOCK P. M.

The Senate met, pursuant to adjournment.

The President announced the time for the special order, being the consideration of Senate bill, No. 370, for "An act requiring banking associations organized under the laws of this State to make quarterly reports, and providing for an examination of such associations," by sections.

On motion of Mr. Cummings,

The bill was referred to the committee on judiciary.

House bill, No. 651, for "An act to revise the law in relation to promissory notes, bonds, due bills, and other instruments in writing," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 34, nays 1.

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Canfield, Castle, Crews, Cummings, Cusey, Donahue, Dow, Glenn, Gundlach, Hampton, Hinchcliffe, Hundley, Jacobs, Kehoe, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Strong, Thompson, Waite, Warren, Whiting, Wilcox, Williamson, Yager, Mr. President—34.

Mr. Kelly voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

House bill, No. 391, for "An act to remove and transfer certain records relating to real estate from the office of the recorder of deeds of Schuyler county to the office of the Auditor of Public Accounts, and creating a custodian thereof, and providing the manner of obtaining certified copies of said records, and defraying the expenses of such removal," having been printed, and heretofore read at large a third time,

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 3, nays 26.

Those voting in the affirmative are,

Messrs. Baldwin, Reynolds, Thompson—3.

Those voting in the negative are,

Messrs. Brown, Canfield, Castle, Crews, Cummings, Cusey, Glenn, Gundlach, Hampton, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, McGrath, Nicholson, Palmer, Patterson, Sanford, Shepard Steele, Warren, Wilcox, Williamson, Yager, Mr. President—26.

Mr. Kehoe entered a motion to reconsider the vote whereby House bill, No. 391, for "An act to remove and transfer certain records relating to real estate from the office of the recorder of deeds of Schuyler county to the office of the Auditor of Public Accounts, and creating a custodian thereof, and providing the manner of obtaining certified copies of said records, and defraying the expenses of such removal," was lost.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, viz:

House bill, No. 604, for "An act to revise the law in relation to amendments and jeofails."

House bill, No. 605, for "An act to revise the law in relation to apprentices."

House bill, No. 638, for "An act to revise the law in relation to county treasurers."

House bill, No. 644, for "An act to revise the law in relation to joint rights and obligations."

House bill, No. 646, for "An act to revise the law in relation to man-damus."

House bill, No. 647, for "An act to revise the law in relation to names."

House bill, No. 649, for "An act to revise the law in relation to oaths and affirmations."

House bill, No. 652 for "An act to revise the law in relation to the State library."

House bill, No. 655, for "An act to amend an act entitled 'an act concerning bail in civil cases,' approved January 22, 1872."

House bill, No. 608, for "An act to revise the law in relation to attorneys and counselors," having been printed, was read at large a third time, and,

On motion of Mr. Shepard.

Referred to the committee on judiciary.

House bill, No. 306, for "An act to authorize courts of record in certain cases to order lands to be subdivided and platted," having been printed, was read at large a third time.



And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 31, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Canfield, Casey, Castle, Crews, Cummings, Cunningham, Cusey, Glenn, Hampton, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Murphy, Nicholson, Reynolds, Sanford, Sheldon, Shepard, Starnes, Strong, Thompson, Waite, Warren, Whiting, Williamson, Yager, Mr. President—31.

Ordered that the title be as aforesaid and that the Secretary inform the House of Representatives thereof.

House bill, No. 685, for "An act to revise the law in relation to escheats," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 30, nays 2.

Those voting in the affirmative are,

Messrs. Baldwin, Canfield, Castle, Cunningham, Cusey, Dow, Glenn, Gundlach, Hampton, Hinchcliffe, Hundley, Jacobs, Kelly, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Strong, Thompson, Waite, Warren, Whiting, Wilcox, Williamson, Yager, Mr. President—30.

Messrs. Brown and Crews voted in the negative.

Ordered that the title be as aforesaid and that the Secretary inform the House of Representatives thereof.

Mr. Thompson (by unanimous consent) offered the following resolution:

*Resolved*, That the joint committee on revision be and they are hereby requested to prepare and submit to the Senate, at an early day, a bill for "An act providing for the regulation of the charitable and educational institutions of the State," in conformity to the recommendation of the Senate special committee appointed to investigate the proceedings of the Trustees of the Institution for the education of the Deaf and Dumb.

On motion of Mr. Thompson,

The rules were suspended for the purpose of considering the resolution.

The question being, "Shall the resolution be adopted?" it was decided in the affirmative.

The President, at 4 o'clock P. M., announced the time for the consideration of House bill, No. 148, for "An act to appropriate fifty thousand dollars to complete the Douglas monument at Chicago," it being the special order for that hour.

This bill, having been printed, was read at large a third time.

Mr. Whiting moved to recommit the bill to the committee on appropriations.

And the question being, "Shall the bill be recommitted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Crews, Cummings, Cunningham, Cusey, Hampton, Jacobs, Nicholson, Palmer, Sanford, Sheldon, Shepard, Warren, Whiting, Wilcox, Yager—15.

Those voting in the negative are,

Messrs. Brown, Canfield, Dow, Glenn, Hinchcliffe, Hundley, Kehoe, Kelly, Lee, McGrath, Patterson, Reynolds, Starnes, Steele, Strong, Thompson, Waite, Williamson—18.

Mr. Dow, at 4:33 o'clock P. M., moved that the Senate adjourn.

And the question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Cummings, Donahue, Dow, Hinchcliffe, Kehoe, Kelly, Reynolds, Starnes, Waite, Warren, Williamson, Yager—12.

Those voting in the negative are,

Messrs. Brown, Crews, Cunningham, Cusey, Hampton, Hundley, Jacobs, Lee, McGrath, Nicholson, Palmer, Patterson, Sanford, Shepard, Steele, Strong, Whiting, Wilcox—18.

Mr. Kehoe moved to postpone the further consideration of the pending bill to and make it the special order for Friday, February 27, A. D. 1874, at 10:30 o'clock A. M.

And the question being, "Shall the consideration of the bill be postponed?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brown, Canfield, Cummings, Dow, Glenn, Hinchcliffe, Hundley, Kehoe, Kelly, Lee, McGrath, Starne, Thompson, Waite, Warren, Wilcox, Williamson, Yager—18.

Those voting in the negative are,

Messrs. Crews, Cunningham, Cusey, Donahue, Hampton, Jacobs, Nicholson, Palmer, Patterson, Reynolds, Sanford, Shepard, Steele, Strong, Whiting—15.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of bills of the following titles, to-wit:

Senate bill, No. 457, for "An act to revise the law in relation to jails and jailers."

Senate bill, No. 473, for "An act to revise the law in relation to sureties."

Senate bill, No. 482, for "An act to revise the law in relation to weights and measures."

Senate bill, No. 397, for "An act to revise the law in relation to marriages."

On motion of Mr. McGrath,

The Senate, at 4:45 o'clock P. M., adjourned.

#### FRIDAY, FEBRUARY 27, 1874—10 O'clock A. M.

The Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Gregg.

The journal of yesterday was being read, when,

On motion of Mr. Cusey,

The further reading of the same was dispensed with.

Mr. Nicholson (by unanimous consent) called up Senate bill, No. 578, for "An act to amend sections 25, 43, 53, 97, 106 and 107 of 'an act for the assessment of property, and for the levy and collection of taxes,' approved March 30th, 1872."

Which was read at large a second time, and ordered on file to be considered by sections.

Mr. Glenn moved to suspend the rules for the purpose of considering, by sections, Senate bill, No. 537, for "An act to provide for the payment of the registered indebtedness of counties, townships, cities and towns."

The question being, "Shall the rules be suspended to consider this bill?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brown, Canfield, Casey, Castle, Cummings, Cunningham, Cusey, Donahue, Glenn, Gundlach, Hinchcliffe, Hundley, Kehoe, Kelly, Murphy, Nicholson, Palmer, Sheldon, Shepard, Starne, Steele, Strong, Waite, Whiting, Wilcox, Yager—36.

Those voting in the negative are,

Messrs. Crews, Dow, Hampton, Jacobs, McGrath, Patterson, Reynolds, Sanford, Thompson, Warren, Williamson, Mr. President—12.

So the bill was taken up for consideration by sections.

Sections 1, 2, 3 and 4 were adopted.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, to-wit:

House bill, No. 741, for "An act in relation to courts of record in cities."

In the passage of which I am instructed to ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of bills of the following titles, to-wit:

Senate bill, No. 403, for "An act to revise the law in relation to liens."

Senate bill, No. 476, for "An act to revise the law in relation to tender."

Senate bill, No. 280, for "An act to revise the law in relation to change of venue."

With amendments thereto.

In the adoption of which amendments I am instructed to ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 450, for "An act to revise the law in relation to dower."

House bill, No. 641, for "An act to revise the law in relation to ferries," having been printed, was being read at large a third time, when

The President, at 10:30 o'clock A. M., announced the time for the special order, being the consideration of House bill, No. 149, for "An act to appropriate fifty thousand dollars to complete the Douglas monument at Chicago;" which, having been read at large a third time on yesterday,

On motion of Mr. Hinchcliffe,

The previous question was ordered.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 18, nays 19.

Those voting in the affirmative are,

Messrs. Brown, Canfield, Casey, Castle, Dow, Glenn, Gundlach, Hinchcliffe, Hundley, Kehoe, Lee, McGrath, Reynolds, Starnes, Thompson, Voria, Waite, Williamson—18.

Those voting in the negative are,

Messrs. Burke, Crews, Cummings, Cunningham, Donahue, Hampton, Jacobs, Kelly, Murphy, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Steele, Strong, Warren, Whiting, Yager—19.

Mr. Donahue entered a motion to reconsider the vote whereby House bill, No. 149, for "An act to appropriate fifty thousand dollars to complete the Douglas monument at Chicago," was lost.

The President announced the time for the special order, being the consideration of House bill, No. 737, for "An act to provide for fees of

certain officers therein named in counties of the third class," pending which,

Mr. Starne, at 12 o'clock M., moved that the Senate adjourn until 2:30 o'clock P. M.

The question being, "Shall the Senate adjourn until 2 o'clock P. M.?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Burke, Cummings, Cusey, Donahue, Gundlach, Hampton, Hinchcliffe, Kehoe, Kelly, Lee, Murphy, Palmer, Starne, Williamson—14.

Those voting in the negative are,

Messrs. Canfield, Castle, Crews, Cunningham, Dow, Glenn, Jacobs, McGrath, Nicholson, Patterson, Sheldon, Shepard, Strong, Thompson, Whiting, Yager, Mr. President—17.

The consideration of House bill, No. 737, for "An act to provide for fees of certain officers therein named in counties of the third class," was resumed.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 35, nays 4.

Those voting in the affirmative,

Messrs. Brown, Canfield, Casey, Castle, Crews, Cummings, Cunningham, Cusey, Donahue, Dow, Glenn, Gundlach, Hinchcliffe, Hundley, Kehoe, Kelly, Lee, McGrath, Murphy, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Strong, Thompson, Voria, Waite, Warren, Williamson, Yager, Mr. President—35.

Those voting in the negative are,

Messrs. Burke, Hampton, Nicholson, Whiting—4.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and having received a vote of two-thirds of the members elected, was declared passed.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Sheldon,

The Senate, at 12:15 o'clock P. M., adjourned until 2:30 o'clock P. M.

## TWO-THIRTY O'CLOCK P. M.

Senate met, pursuant to adjournment.

Mr. Yager (by unanimous consent) offered a petition from certain citizens of Waukëgan, Lake county, Illinois, praying for the abolishment of capital punishment.

Mr. Yager moved that a special committee of five be appointed, to whom this and all other petitions relating to the same subject shall be referred.

The question being, "Shall a special committee be appointed for this purpose?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brown, Burke, Crews, Cummings, Cunningham, Cusey, Glenn, Hinchcliffe, Kehoe, Kelly, McGrath, Nicholson, Palmer, Starne, Steele, Voria, Whiting, Yager, Mr. President—19.

Those voting in the negative are,

Messrs. Hampton, Jacobs, Sanford, Shepard, Strong, Waite, Williamson—7.

The President made the following announcement:

I hereby appoint, as a select committee of five to which is to be referred all petitions and bills relating to the question of capital punishment, Senators Yager, Dow, Steele, Brown, and Casey.

Mr. McGrath (by unanimous consent) introduced Senate bill, No. 590, for "An act in relation to the management of the funds of municipal corporations, and to relieve them from paying subsequent taxes or assessments on real estate purchased by them for any tax or assessment, and to preserve their lien thereon."

Which was ordered to a first reading, and,

On motion of Mr. McGrath,

Referred to the committee on municipalities.

Mr. Shepard (by unanimous consent) introduced Senate bill, No. 591, for "An act to further provide for the ordinary and contingent expenses of the State government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly."

Which was ordered to a first reading.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 27th day of February, 1874, laid before the Governor for his approval, viz :

Senate bill, No. 397, for "An act to revise the law in relation to marriages."

Senate bill, No. 470, for "An act to revise the law in relation to the seat of government."

Senate bill, No. 473, for "An act to revise the law in relation to sureties."

Senate bill, No. 482, for "An act to revise the law in relation to weights and measures."

The consideration of House bill, No. 641, for "An act to revise the law in relation to ferries," was resumed, and the reading at large of the bill a third time was concluded.

On motion of Mr. Cummings,

The bill was referred to the joint committee on revision.

Mr. Crews (by unanimous consent) called up for consideration the resolution offered by him on Wednesday, February 25, A. D. 1874, calling on the Railroad and Warehouse Commissioners for information relating to the schedules prepared by them.

Mr. Cusey moved that the resolution be referred to the committee on railroads; which motion was decided in the negative.

The question being, "Shall the resolution be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brown, Burke, Casey, Castle, Crews, Cummings, Cunningham, Glenn, Hampton, Hundley, Kehoe, Kelly, McGrath, Nicholson, Palmer, Starne, Steele, Strong, Voris, Waite, Warren, Williamson, Yager—23.

Those voting in the negative are,

Messrs. Donahue, Jacobs, Reynolds, Sanford, Shepard—5.

Mr. Hampton entered a motion to reconsider the above vote, whereby the resolution was adopted.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been cor-

rectly enrolled, and on the 27th day of February, 1874, laid before the Governor for his approval, viz :

House bill, No. 609, for "An act in regard to canal companies."

House bill, No. 602, for "An act to revise the law in relation to the adoption of children."

Mr. Glenn (by unanimous consent), from the joint committee on state charitable institutions, to which was referred Senate bill, No. 516, for "An act to provide for the election and to prescribe the duties of the Supervisor of State Institutions, and to reorganize the boards of trustees of State institutions," reported the same back without recommendation, and,

On motion of Mr. Glenn,

The rules were suspended, and the bill read at large a second time, and ordered on file to be considered by sections.

House bill, No. 266, for "An act entitled 'an act concerning all cities in this State within the limits of which there is or are no town, towns, or parts thereof, organized under any township organization law, and situated in any county which has heretofore adopted, and is now acting under, township organization laws, defining the relative rights of such cities and counties as regards county taxes, representation in the county board of supervisors, and securing the same, and providing for the assessment, levy and collection of taxes in such cities,' " was taken up for a third reading, and,

On motion of Mr. Kelly,

Was referred to the committee on judiciary.

House bill, No. 719, for "An act to enable cities and villages to establish and regulate cemeteries,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

Mr. Sanford (by unanimous consent) called up Senate bill, No. 588, for "An act to provide the manner of proposing amendments to the constitution, and submitting the same to the electors of this State."

Which was read at large a second time, and ordered on file to be considered by sections.

On motion of Mr. Sanford,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

The question then being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative.

A message from the Governor, by Philo J. Beveridge, Private Secretary :

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, to-wit :

Senate bill, No. 397, for "An act to revise the law in relation to marriages."

Senate bill, No. 470, for "An act to revise the law in relation to the seat of government."

Senate bill, No. 473, for "An act to revise the law in relation to sureties."

Senate bill, No. 482, for "An act to revise the law in relation to weights and measures."

On motion of Mr Strong,

The rules were suspended, and Senate bill, No. 472, for "An act to

revise the law in relation to State contracts," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 1.

Those voting in the affirmative are,

Messrs. Brown, Burke, Canfield, Casey, Castle, Cummings, Cunningham, Cusey, Glenn, Gundlach, Hampton, Hinchcliffe, Jacobs, Kehoe, Kelly, McGrath, Murphy, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Starne, Strong, Thompson, Warren, Williamson, Mr. President—29.

Mr. Whiting voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Sanford (by unanimous consent) called up for consideration Senate bill, No. 455, for "An act to revise the law in relation to husband and wife."

The pending question being, "Shall the Senate adopt the amendments reported from the committee on judiciary?"

On motion of Mr. Sanford,

The amendments were ordered taken up *seriatim*.

The question then being, "Shall the Senate adopt the amendment to section 1, reported from the committee on judiciary?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brown, Canfield, Casey, Castle, Crews, Cummings, Cunningham, Cusey, Glenn, Hinchcliffe, Murphy, Nicholson, Palmer, Sanford, Shepard, Steele, Voria, Waite, Williamson—19.

Those voting in the negative are,

Messrs. Hampton, Jacobs, Kehoe, Kelly, McGrath, Patterson, Reynolds, Sheldon, Starne, Strong, Thompson, Warren, Yager—13.

The amendments reported from the committee on judiciary to sections 3, 6 and 9 were adopted.

The question then being, "Shall the amendment reported from the committee on judiciary, striking out section 11, be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Burke, Canfield, Casey, Castle, Crews, Cunningham, Cusey, Glenn, Hinchcliffe, Jacobs, Kelly, Nicholson, Palmer, Patterson, Sanford, Shepard, Starne, Voria, Whiting, Williamson, Mr. President—21.

Those voting in the negative are,

Messrs. Brown, Hampton, Kehoe, McGrath, Warren, Yager—6.

The amendment reported from the committee on judiciary, inserting a new section in place of section 11, stricken out, was adopted.

The amendment to section 10, reported from the committee on judiciary, was adopted.

The amendments to sections 12, 17, 18 and 22, reported from the committee on judiciary, were adopted.

And the question being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Cummings (by unanimous consent) offered the following resolution:

*Resolved*, That hereafter when a motion is made or entered to reconsider any question that may have been adopted or rejected by the Senate, it shall be in order for any member of the Senate to call up the motion for consideration at any time.

On motion of Mr. Cummings,

The rules were suspended for the purpose of considering the above resolution.

Mr. Canfield moved to postpone the further consideration of the resolution, and that the same be printed; which motion was decided in the negative.

Mr. Williamson moved to refer the resolution to the committee on judiciary.

Mr. Palmer moved to postpone the further consideration of the resolution to and make it the special order for Saturday, February 28, A. A. 1874, at 10 o'clock A. M.

Mr. Castle moved that the main question be now put.

Mr. Brown, at 5:20 o'clock P. M., moved that the Senate adjourn.

The question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brown, Canfield, Casey, Cummings, Cusey, Glenn, Hampton, Kehoe, Kelly, McGrath, Murphy, Reynolds, Sheldon, Starnes, Voris, Waite, Warren, Yager—18.

Those voting in the negative are,

Messrs. Burke, Castle, Crews, Cunningham, Hinchcliffe, Jacobs, Nicholson, Palmer, Patterson, Shepard, Steele, Strong, Thompson, Whiting, Williamson—15.

### SATURDAY, FEBRUARY 28, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Gregg.

The journal of yesterday was being read, when,

On motion of Mr. Nicholson,

The further reading of the same was dispensed with.

Mr. Nicholson presented a petition from 173 citizens of Logan county, asking for a modification of the present railroad law; which, on his motion, was referred to the committee on railroads.

Mr. Williamson, (by unanimous consent,) from the committee on warehouses, to which was referred Senate bill, No. 579, for "An act to amend section 15 of an act entitled 'an act to regulate public warehouses, and the warehousing and inspection of grain, and to give effect to article 13 of the constitution of this State,' approved April 2, 1871," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading, and,

On motion of Mr. Williamson,

The rules were suspended, and the bill was read at large a second time, and ordered on file to be considered by sections.

Mr. Shepard (by unanimous consent) called up Senate bill, No. 591, for "An act to further provide for the ordinary and contingent expenses of the State government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly."

Which was read at large a first time, and ordered to a second reading.

Mr. Shepard (by unanimous consent) called up Senate bill, No. 449, for "An act to revise the law in relation to permitting animals to run at large."

Which was read at large a second time.



And the question being, "Shall the Senate adopt the amendments reported from the joint committee on revision?" it was decided in the affirmative.

And the question then being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Palmer entered a motion to reconsider the vote whereby the bill (Senate bill, No. 449,) was ordered to be engrossed and printed for a third reading.

Mr. Sanford (by unanimous consent), from the committee on judiciary, to which was referred House bill, No. 562, for "An act to enable towns and villages in this State having commons to dispose of the same," reported the same back with an amendment, and recommended its adoption, and that the bill as amended be passed.

The report of the committee was concurred in, and the amendment adopted.

And the question then being, "Shall section 2 be adopted?" (the vote adopting the same on February 20, A. D. 1874, having been reconsidered) it was decided in the affirmative.

The question then being, "Shall the bill be read a third time?" it was decided in the affirmative, and the amendments were ordered printed.

The President presented a communication from D. A. Ray, Esq., Secretary of the Senate, relating to circulars addressed to county clerks, as per resolution adopted by the Senate on April 1, A. D. 1873.

On motion of Mr. Nicholson,

The communication was referred to the committee on miscellany.

Mr. Burke (by unanimous consent) offered the following resolution:

*Resolved by the Senate, That the Auditor of Public Accounts be and he is hereby requested to furnish to this Senate, at as early a moment as possible, the amount paid by the State for the revision of the statutes commonly known as the "Revised Statutes of 1845," and the amount of time or number of days employed in the revision of the same, if known.*

Mr. Burke moved to suspend the rules, for the purpose of considering the resolution; which motion was decided in the negative.

Mr. Steele presented a petition from 58 citizens of Mattoon, Coles county, Illinois, praying for a modification or total repeal of the present railroad law; which, on his motion, was referred to the committee on railroads.

On motion of Mr. Starne,

The rules were suspended, and the order of Senate bills on second reading was taken up for consideration.

Senate bill, No. 554, for "An act to make the schedules prepared and published by the Railroad and Warehouse Commission *prima facie* evidence in the several courts of this State,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

Senate bill, No. 566, for "An act to provide for the election of a Board of Commissioners of Public Charities, and to prescribe their duties,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

Senate bill, No. 564, for "An act providing for the better protection of persons owning grain stored in public warehouses of class A,"

Was taken up, read at large a second time, and,

On motion of Mr. Williamson,

Referred to the committee on warehouses.

Senate bill, No. 582, for "An act to provide for a more equitable distribution of school moneys,"

Was taken up, read at large a second time, and,

On motion of Mr. Nicholson,

Referred to the committee on education.

Senate bill, No. 567, for "An act to amend 'an act to provide for changing the names, for changing the places of business, for increasing or decreasing the capital stock, for increasing or decreasing the number of directors, and for the consolidation of incorporated companies,'"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

By unanimous consent, Senate bill, No. 585, for "An act to amend an act entitled 'an act to revise and consolidate the several acts relating to the protection of game, and for the protection of deer, wild fowl and birds, and to repeal certain laws,' approved May 3, 1872,"

Was taken up, read at large a first time, and ordered to a second reading, and,

On motion of Mr. McGrath,

Referred to the committee on agriculture and drainage.

By unanimous consent, House bill, No. 654, for "An act to amend an act entitled 'an act for the assessment of property and the levy and collection of taxes,' approved March 30, 1872,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

By unanimous consent, House bill, No. 410, for "An act to amend section 1 of an act entitled 'an act making appropriations for the payment of the indebtedness of the Soldiers' Orphans' Home,'"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

By unanimous consent, House bill, No. 741, for "An act to revise the law in relation to courts of record in cities,"

Was taken up, read at large a first time, and ordered to a second reading, and,

On motion of Mr. Nicholson,

Referred to the committee on revision.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 316, for "An act to revise the law in relation to recorders," with an amendment thereto.

In the adoption of which amendment I am instructed to ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, to-wit:

House bill, No. 606, for "An act to revise the law in relation to attachments of boats, vessels and rafts."

In the passage of which I am instructed to ask the concurrence of the Senate.

Mr. Nicholson (by unanimous consent) called up Senate bill, No. 513, for "An act to amend section 24 of an act entitled 'an act for the assessment of property and for the levy and collection of taxes,' for consideration by sections.

Mr. Brown offered the following amendment:

Amend by adding after line 10: "*Provided*, that from the value of the property as found by the assessor there may be deducted the amount of any *bona fide* indebtedness due on the same for the purchase money thereof." •

On motion of Mr. Steele,

The further consideration of the pending bill and amendment was postponed to and made the special order for Wednesday, March 4, A. D. 1874, at 11 o'clock A. M.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to lay before the Senate the following written communication:

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, February 28, 1874.

*To the Honorable the Senate:*

I have the honor to nominate and (by and with the advice and consent of the Senate) to appoint the following named persons notaries public, in and for the counties in which they respectively reside, viz:

Names.	Residence.	County.
D. W. Jacoby.....	Shelbyville .....	Shelby.
Henry W. Underhill.....	Peru.....	LaSalle.
John Mickler.....	Polo.....	Ogle.
Louis H. Ticknor.....	Springfield.....	Sangamon.
Andrew L. Steele.....	Dover.....	Bureau.
Sam'l W. Treat.....	Rockford.....	Winnebago.
Hugh Andrews.....	Jonesboro.....	Union.
Geo. O. Barnes.....	Lacon.....	Marshall.
D. L. Perry.....	Hinesdale.....	DuPage.
Wm. M. Ekey.....	Olney.....	Richland.
Jonathan Stewart.....	Grayville.....	White.
G. F. Wm. Froelich.....	Oquawka.....	Henderson.
Theodore Rea.....	Dallas City.....	Hancock.
James Saunders.....	Danby.....	DuPage.
Isaac C. Edwards.....	Peoria.....	Peoria.
James H. Wilson.....	Prairie City.....	McDonough.
E. A. Hamra.....	Raymond.....	Montgomery.
Geo. E. Washburn.....	Chicago.....	Cook.
Perry A. Hull.....	".....	"
Harry T. Brainard.....	".....	"
Law C. Fyfe.....	".....	"
Henry C. Whitney.....	".....	"
Thomas C. Miles.....	".....	"
J. T. Marington.....	".....	"
Theodore H. Chints.....	".....	"
Norton Culver.....	New Trier.....	"
Albert D. Bingham.....	".....	"
Sebring Clarkson.....	Chicago.....	"
Benj. S. Bryan.....	".....	"
Fredrick C. Hale.....	".....	"
Joseph A. Newark.....	".....	"
George Sparling.....	".....	"
Henry P. Isaam.....	".....	"
Charles W. Bliss.....	Hillboro.....	Montgomery.
Robert Ridgely.....	Lancaster.....	Wabash.
Balfour Cowan.....	Virden.....	Macoupin.
Joel Cook.....	Equality.....	Gallatin.
Morris Fieldman.....	LaSalle.....	LaSalle.
Upton Coomes.....	Gridley.....	McLean.
Robert G. Welker.....	Rushville.....	Schuylcr.
Elias F. Brown.....	Richwoods.....	Jersey.
B. P. McDaniel.....	Gillespie.....	Macoupin.
Jacob O. Chance.....	Salem.....	Marion.
J. F. Greathouse.....	Pittsfield.....	Pike.
Wm. Marshall.....	Rockford.....	Winnebago.
Bateman B. Bowman.....	Brimfield.....	Peoria.
M. Blanchard.....	Peru.....	LaSalle.

Names.	Residence.	County.
R. M. Buckman	Freeport	Stephenson.
George Roe	Deerfield	Lake.
J. H. McGuire	Marrowbone	Moultrie.
J. O. Cunningham	Urbana	Champaign.
George R. Gibson, Jr.	Mattoon	Coles.
Jonathan Meeker	Sullivan	Moultrie.
Geoffrey Cailonette	St. Marys	Iroquois.
Horace S. Clark	Mattoon	Coles.
Michael B. Williams	Prairie	Shelby.
George W. Goddard	Marion	Williamson.
E. Z. Allen	Freedom	LaSalle.
Wm. T. Vandever	Taylorville	Christian.
James W. Page	Suez	Mercer.
Agney W. Scott	Freeport	Stephenson.
Swan A. Miller	Galesburg	Knox.
John B. Lemoine	St. Anne	Kankakee.
John E. Decker	Wyoming	Stark.
James B. Charters	Dixon	Lee.
Theophilus Rubly	Howlett	Nangamon.
John F. Tuncliff	Galesburg	Knox.
Leonard Wagner	LaSalle	LaSalle.
Victor Pettier	Martinton	Iroquois.
Patrick Faherty	Runva	Randolph.
Thompson B. Stelle	McLeansboro	Hamilton.
George W. Green	Hancock	Hancock.
Hiram S. Thomas	Vermont	Fulton.
Thomas E. Garner	Paris	Edgar.
H. J. Hamlin	Shelbyville	Shelby.
George A. Cornaga	Keene	Adams.
James Shain	Eldorado	Saline.
John S. Stevens	Peoria	Peoria.
Alonzo J. Sawyer	Chicago	Cook.
Newton Gilbert	"	"
Azel F. Hatch	"	"
Henry E. Scotchner	"	"
Walter P. Dean	"	"
M. E. Mason	"	"
Chas. E. Affeld	"	"
J. C. Lattimer	"	"
L. M. Lange	"	"
Harry Rubens	"	"
Milton Forbes	"	"
Thomas H. Doane	"	"
Wm. D. Peck	"	"
Fredric Heild	"	"
Levi P. Harlan	"	"
John Still	"	"
Fredrick A. Root	"	"
James A. Bowen	"	"
Frank Allyn	"	"
Bartholemew Russell	"	"
Wm. H. Longsdorf	"	"
Theodore Marcuse	"	"
Aaron Schuban	"	"
Charles Ferne	"	"
Thomas J. Black	Peoria	Peoria.
John Overhart	Reading	Livingston.

JOHN L. BEVERIDGE,  
Governor.

Mr. Palmer (by unanimous consent) withdrew the motion entered by him this morning, to reconsider the vote whereby Senate bill, No. 449, for "An act to revise the law in relation to permitting animals to run at large," was ordered engrossed and printed for a third reading.

Mr. Shepard (by unanimous consent) called up for consideration by sections, Senate bill, No. 558, for "An act to amend section twenty of an act entitled 'an act concerning conveyances,' approved March 29th, 1872."

Section 1 was adopted.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. McGrath (by unanimous consent) called up for consideration by sections, Senate bill, No. 502, for "An act to authorize the legislative authority of any city in this State, having over two hundred thousand inhabitants, to use any money standing to the credit of any city fund, either general or special, to meet the demands on any other city fund in which there may be a deficiency."

Sections 1 and 2 were adopted.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 28th day of February, 1874, laid before the Governor for his approval, viz :

Senate bill, No 454, for "An act to revise the law in relation to habeas corpus."

Senate bill, No. 474, for "An act to revise the law in relation to county surveyors, and the custody of the United States field notes."

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed :

Senate bill, No. 537, for "An act to provide for the payment of the registered indebtedness of counties, townships, cities and towns."

Senate bill, No. 588, for "An act to provide the manner of proposing amendments to the constitution and submitting the same to the electors of this State."

Senate bill, No. 437, for "An act to prevent extortion and unjust discrimination in the rates charged for the transportation of freights on railroads in this State, and to punish the same and prescribe a mode of procedure and rules of evidence in relation thereto."

Mr. Jacobs (by unanimous consent) called up for consideration by sections, Senate bill, No. 542, for "An act to amend section number one hundred and nine (109) of an act entitled 'an act in regard to the administration of estates,' approved April 1st, 1872."

Section 1 was adopted.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Reynolds, at 12 o'clock M., moved that the Senate adjourn.

And the question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Brown, Burke, Canfield, Hinchcliffe, Kelly, Lee, McGrath, Palmer, Patterson, Sanford, Sheldon, Shepard, Sterne, Warren, Whiting, Williamson, Mr. President—17.

Those voting in the negative are,

Messrs. Casey, Castle, Cunningham, Cusey Hampton, Jacobs, Reynolds, Steele—8.

MONDAY, MARCH 2, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Hale.

The journal of yesterday was being read, when,

On motion of Mr Cusey,

The further reading of the same was dispensed with.

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has refused to concur with them in the passage of a bill of the following title, to-wit :

Senate bill, No. 58, for "An act to repeal an act entitled 'an act to amend the law concerning township organization,' approved January 31st, 1872."

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, to-wit :

House bill, No. 856, for "An act to enable library associations to sell and transfer their real and personal property."

House bill, No. 834, for "An act to provide for the payment of the Senate penitentiary investigating committee, and the expense of the witnesses and miscellaneous expenses of the House penitentiary committee."

House bill, No. 798, for "An act to amend section eight of an act entitled 'an act concerning corporations,' approved April 18th, 1872."

House bill, No. 763, for "An act to amend section 35 of an act entitled 'an act to establish and maintain a system of free schools,' approved April 1st, 1872."

House bill, No. 806, for "An act to amend section six of 'an act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms,' approved March 7th, 1872."

In the passage of which I am instructed to ask the concurrence of the Senate.

Mr. Hincheliffe presented a petition from Dr. Med. B. Hahn, of Columbia, Monroe county, Illinois, praying for the passage of a bill protecting the people from incompetent physicians and surgeons; which, on his motion, was referred to the committee on miscellany.

The President presented a communication from the Secretary of State of Missouri, transmitting a copy of a joint resolution passed by the Legislature of the State of Missouri, relating to the improvement of the Mississippi river; which was,

On motion of Mr. Whiting,

Referred to the committee on canals and rivers.

Mr. Shepard (by unanimous consent) called up Senate bill, No. 591, for "An act to further provide for the ordinary and contingent expenses of the State government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly."

Which was read at large a second time, and ordered on file to be considered by sections.

Mr. Steele presented petitions from sundry citizens of Douglas county, in relation to the present railroad law, and praying for modification of the same; which, on his motion, were referred to the committee on railroads.

Mr. Hampton (by unanimous consent), from the committee on the expenses of the general assembly, made the following report, which was concurred in by the Senate:

Your committee, to whom was referred a resolution of the Farmers' Association of Jefferson county, requesting the representatives of that county to use their influence in procuring an immediate adjournment of the General Assembly, beg leave to report that inasmuch as the resolution is addressed to the members from that county, rather than to the General Assembly, they therefore recommend that the same be referred to the Senator from Jefferson for his careful consideration.

Mr. Cunningham (by unanimous consent) introduced Senate bill, No. 592, for "An act to amend section twelve of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' approved March 29, 1872, in force July 1, 1872."

Which was ordered to a first reading, and,

On motion of Mr. Cunningham,

The rules were suspended, the bill read at large a first time, and ordered to a second reading.

Mr. Steele (by unanimous consent), from the joint committee on revision, to which was referred House bill, No. 641, for "An act to revise the law in relation to ferries," reported the same back with an amendment, and recommended its adoption, and that the bill as amended be passed.

The report of the committee was concurred in, and the amendment adopted.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative, and the amendment was ordered printed.

Mr. Lee (by unanimous consent) offered the following resolution:

*Resolved by the Senate, the House of Representatives concurring herein, That when the two houses adjourn on the 20th instant, that they shall stand adjourned sine die.*

Mr. Lee moved to suspend the rules, for the purpose of considering the resolution offered by him.

The question being, "Shall the rules be suspended for the purpose of considering the resolution?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brown, Casey, Castle, Cunningham, Hinchcliffe, Kelly, Lee, McGrath, Palmer, Starnes, Voria, Ware—12.

Those voting in the negative are,

Messrs. Burke, Canfield, Cusey, Hampton, Jacobs, Reynolds, Sanford, Sheldon, Shepard, Steele, Strong, Warren, Whiting, Williamson, Mr. President—15.

House bill, No. 606, for "An act to revise the law in relation to attachments of boats, vessels and rafts,"

Was taken up, read at large a first time, and ordered to a second reading.

House bill, No. 806, for "An act to amend section 6 of 'an act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms,' approved March 7, 1872,"

Was taken up, read at large a first time, and ordered to a second reading.

House bill, No. 763, for "An act to amend section 35 of an act entitled 'an act to establish and maintain a system of free schools,' approved April 1, 1872,"

Was taken up, read at large a first time, and ordered to a second reading.

A message from the Governor, by Philo J. Beveridge, Private Sec'y :

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, viz:

House bill, No. 602, for "An act to revise the law in relation to the adoption of children."

House bill, No. 609, for "An act in regard to canal companies."

House bill, No. 601, for "An act to revise the law in relation to abatement."

House bill, No. 798, for "An act to amend section eight (8) of an act entitled 'an act concerning corporations,' approved April 18, 1872,"

Was taken up, read at large a first time, and ordered to a second reading.

House bill, No. 856, for "An act to enable library associations to sell and transfer their real and personal property,"

Was taken up, read at large a first time, and ordered to a second reading.

House bill, No. 834, for "An act to provide for the payment of the expenses of the Senate penitentiary investigating committee, and the expense of witnesses, and miscellaneous expenses of the House penitentiary committee,"

Was taken up, read at large a first time, and ordered to a second reading, and,

On motion of Mr. Hampton,

Referred to the committee on appropriations.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly engrossed :

Senate bill, No. 455, for "An act to revise the law in relation to husband and wife."

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 2d day of March, 1874, laid before the Governor for his approval, to-wit:

House bill, No. 653, for "An act to revise the law in relation to township organization."

House bill, No. 737, for "An act to provide for fees of certain officers therein named, in counties of the third class."

The President announced the order of business as being the introduction and consideration of resolutions.



Mr. Hampton moved to pass the order of resolutions; pending which,  
On motion of Mr. Hampton,

A call of the Senate was ordered, and the following answered to their names:

Messrs. Brown, Burke, Canfield, Castle, Cunningham, Hampton, Hincheliffe, Hundley, Jacobs, Kelly, McGrath, Palmer, Patterson, Reynolds, Sheldon, Shepard, Starne, Strong, Thompson, Ware, Warren, Whiting, Williamson, Mr. President—24.

Pending the proceedings under the call,

On motion of Mr. Brown,  
The Senate, at 10:55 o'clock A. M., adjourned.

TUESDAY, MARCH 3, 1874—10 O'clock, A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Black.

The journal of yesterday was being read, when,

On motion of Mr. Jacobs,

The further reading of the same was dispensed with.

Mr. Nicholson presented a petition from citizens of Logan county, Ill., praying for a modification of the present railroad law; which, on his motion, was referred to the committee on railroads.

Mr. Palmer presented a petition from citizens of Watseka, Iroquois county, Ill., praying for a modification of the present railroad law; which, on his motion, was referred to the committee on railroads.

Mr. Cunningham (by unanimous consent) called up Senate bill, No. 592, for "An act to amend section 12 of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' approved March 29, 1872."

Which was read at large a second time, and,

On motion of Mr. Cunningham,

Referred to the committee on fees and salaries.

Mr. Canfield, (by unanimous consent,) from the committee on municipalities, to which was referred Senate bill, No. 171, for "An act to amend sections eighteen (18) and nineteen (19), of article 6, of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, 1872," reported the same back, and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Canfield (by unanimous consent), from the committee on municipalities, to which was referred Senate bill, No. 87, for "An act releasing cities, incorporated towns and villages from liability for damages on

account of defective streets or alleys therein," reported the same back, and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Canfield (by unanimous consent,) from the committee on municipalities, to which was referred House bill, No. 594, for "An act to amend an act entitled 'an act to provide for the incorporation of cities and villages,'" reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading.

Mr. Canfield (by unanimous consent), from the committee on municipalities, to which was referred Senate bill, No. 509, for "An act to amend an act entitled 'an act concerning the appointment and removal of city officers in all cities in this State, conferring additional powers and duties upon the mayors of such cities, and concerning appropriation bills or ordinances that may be passed in such cities,' approved March 9, 1872," reported the same back and recommended that it do not pass.

On motion of Mr. Lee,

The bill was ordered on file for a second reading.

Mr. Canfield (by unanimous consent), from the committee on municipalities, to which was referred Senate bill, No. 538, for "An act to amend section fifty-four, of article nine, of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, 1872," reported the same back with an amendment.

On motion of Mr. Steele,

The bill was ordered on file for a second reading.

Mr. Canfield (by unanimous consent), from the committee on municipalities, to which was referred Senate bill, No. 98, for "An act to amend section 19, of article 3, and sections 13 and 4, of article 6, of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, 1872," reported the same back and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and, on the third day of March, 1874, laid before the Governor for his approval, viz:

Senate bill, No. 457, for "An act to revise the law in relation to jails and jailers."

Mr. Canfield (by unanimous consent), from the committee on municipalities, to which was referred Senate bill, No. 190, for "An act to extend the jurisdiction of constables in incorporated towns and cities," reported the same back with an amendment, and recommended its adoption, and that the bill as amended be passed.

And the bill was ordered on file for a second reading.

Mr. Canfield (by unanimous consent), from the committee on municipalities, to which was referred House bill, No. 522, for "An act to repeal an act entitled 'an act to establish a board of fire engineers and to reorganize the fire department in the city of Quincy,' approved February 16, 1865, and an act entitled 'an act to amend an act entitled 'an act to establish a board of fire engineers and to reorganize the fire department in the city of Quincy, Illinois,' approved February 18, 1867,'" reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading.

House message on Senate bill, No. 316, for "An act to revise the law in relation to recorders," was taken up for consideration.

The question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments?"

Amend 5th paragraph of section 12, by inserting before the word "an," in the first line, the words "when required by the county board."

Amend section 13, by inserting after the word "situated," in line 4 of the printed bill, the following, to-wit: "Or by some city, town or village officer for that purpose to be designated by resolution or ordinance of said legislative authority."

Amend section 19, by striking out of line 2 the word "shall," and insert the words "may, if they deem it expedient."

It was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Canfield, Casey, Cummings, Cunningham, Cusey, Ferrell, Gundlach, Hampton, Henry, Jacobs, Kelly, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Voris, Ware, Warren, Whiting, Mr. President—28.

House message on Senate bill, No. 280, for "An act to revise the law in relation to change of venue," was taken up for consideration.

On motion of Mr. Hampton,

The bill and message were referred to the committee on revision.

House message on Senate bill, No. 476, for "An act to revise the law in relation to tender," was taken up for consideration.

On motion of Mr. Brown,

The bill and message were referred to the committee on judiciary.

Mr. Canfield (by unanimous consent), from the committee on municipalities, introduced Senate bill, No. 593, for "An act to amend section 8 of an act entitled 'an act to provide for annexing and excluding territory to and from cities, towns and villages, and to unite cities, towns and villages.'"

Which was ordered to a first reading.

On motion of Mr. Cummings,

The rules were suspended, and the order of House bills on second reading, was taken up for consideration.

House bill, No. 806, for "An act to amend section six of 'an act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms,' approved March 9, 1872,"

Was taken up, read at large a second time, and,

On motion of Mr. Cummings,

Referred to the committee on education.

House bill, No. 856, for "An act to enable library associations to sell and transfer their real and personal property,"

Was taken up, read at large a second time, and,

On motion of Mr. Cummings,

Referred to the committee on education.

House bill, No. 763, for "An act to amend section thirty-five of an act entitled 'an act to establish and maintain a system of free schools,' approved April 1, 1872,"

Was taken up, read at large a second time, and,

On motion of Mr. Cummings,

Referred to the committee on education.

House bill, No. 798, for "An act to amend section 8 of an act entitled 'an act concerning corporations,' approved April 18, 1872,"

Was taken up, read at large a second time, and,

On motion of Mr. Cummings,

Referred to the committee on corporations.

A message from the Governor, by Philo J. Beveridge, Private Secretary :

Mr. President : I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, to-wit :

House bill, No. 737, for "An act to provide for fees of certain officers therein named, in counties of the third class."

Senate bill, No. 454, for "An act to revise the law in relation to habeas corpus."

Senate bill, No. 474, for "An act to revise the law in relation to county surveyors and the custody of the United States field notes."

The President, at 11 o'clock A. M., announced the time for the consideration of the standing special order, being the order of bills on second reading by sections.

Senate bill, No. 221, for "An act to provide for the election and prescribe the duties of overseers of highways," was taken up for consideration by sections, and,

On motion of Mr. Cummings,

Ordered to lie on the table.

Senate bill, No. 136, for "An act entitled 'an act to preserve copies of all bills printed for the General Assembly,'" was taken up for consideration by sections.

Mr. Cummings offered the following amendment:

Strike out all after the word "volumes," in line 5, to and including the word "volumes" at end of line 6.

Mr. Nicholson moved that the bill and amendments be ordered to lie on the table.

The question being, "Shall the bill and amendments lie on the table?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Casey, Castle, Cummings, Cusey, Ferrell, Glenn, Gundlach, Hampton, Henry, Kelly, Lee, Nicholson, Palmer, Sheldon, Sterne, Steele, Strong, Warren—21.

Those voting in the negative are,

Messrs. Brown, Canfield, Cunningham, Jacobs, McGrath, Patterson, Reynolds, Shepard, Voris, Ware, Whiting, Williamson—12.

Senate bill, No. 371, for "An act to authorize county boards to regulate and control and dispose of pauper children," was taken up for consideration by sections.

On motion of Mr. Cummings,

The further consideration of the bill was postponed until Tuesday, March 10, A. D. 1874.

Senate bill, No. 103, for "An act to commit persons to the hospital for the insane who may have been acquitted of any murder, manslaughter, robbery, arson, rape, larceny, burglary, or other felony upon the plea and defense of insanity," was taken up for consideration by sections, and,

On motion of Mr. Strong,

Was ordered to lie on the table.

Senate bill, No. 82, for "An act in regard to county courts and to de-

fine their jurisdiction, powers and duties," was taken up for consideration by sections, and,

On motion of Mr. Hampton,

Was ordered to lie on the table.

Senate bill, No. 407, for "An act to reduce the cost and facilitate the prompt publication of the reports of the decisions of the supreme court," was taken up for consideration by sections, and,

On motion of Mr. Palmer,

Was ordered to lie on the table.

Senate bill, No. 139, for "An act to amend an act entitled 'an act to incorporate and to govern fire, marine and inland navigation insurance companies doing business in the State of Illinois,' approved March 26, A. D. 1869," was taken up for consideration by sections, and,

On motion of Mr. Sheldon,

Was ordered to lie on the table.

Senate bill, No. 247, for "An act to amend an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' approved March 29, 1872," was taken up for consideration by sections.

Mr. Cummings offered the following amendment, which was adopted:

Strike out the figures "1872" and insert "1874."

Mr. McGrath offered the following amendment:

Insert in line 14, after the word "report," "and shall also report the amount of fees, if any, uncollected, and give the reason why such fees are uncollected."

Mr. Sheldon offered the following amendment to the amendment:

Add to the amendment the following: "When required by the county board."

On motion of Mr. Hampton,

The bill and pending amendments were recommitted to the committee on fees and salaries.

Senate bill, No. 8, for "An act establishing probate courts and providing for the election of judges thereof," was taken up for consideration by sections, and,

On motion of Mr. Cusey,

Was ordered to lie on the table.

Senate bill, No. 362, for "An act to exempt the property, now exempt by law from forced sale and execution, of all blind persons, deaf mutes, and deaf persons in this State, from taxation," was taken up for consideration by sections; pending which,

On motion of Mr. Hampton,

The bill was referred to the committee on judiciary.

Senate bill, No. 140, for "An act to amend an act entitled 'an act to provide against the evils resulting from the sale of intoxicating liquors in the State of Illinois,' in force July 1, 1872," was taken up for consideration by sections, and,

On motion of Mr. Canfield,

Was ordered to lie on the table.

Senate bill, No. 405, for "An act to amend an act in regard to roads and bridges," approved April 10, 1872," was taken up for consideration by sections, and,

On motion of Mr. Ware,

Ordered to lie on the table.

Senate bill, No. 70, for "An act appropriating money to pay certain expenses incurred by the railroad and warehouse commissioners in the performance of their duties," was taken up for consideration by sections, and,

On motion of Mr. Strong,

Ordered to lie on the table.

House bill, No. 428, for "An act to amend section 46 of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' approved March 29, 1872," was taken up for consideration by sections.

Section 1 of the bill was adopted.

And the question being, "Shall this bill be read a third time?" it was decided in the affirmative.

House bill, No. 371, for "An act to insure the better professional education of practitioners of dental surgery in the State of Illinois," was taken up for consideration by sections.

Sections 1, 2, 3 and 4 were adopted.

Mr. Cummings offered the following amendment, which was adopted:

Section 5, lines 8 and 9, strike out the words "physicians and surgeons," and insert the words "any person."

Section 5 as amended was adopted.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative, and

The amendment was ordered printed.

Mr. Sanford (by unanimous consent), from the committee on judiciary, to which was referred Senate bill, No. 540, for "An act to make boards of trustees of State institutions responsible personally when they enter into contracts for buildings, improvements, or supplies in excess of appropriations made for such purposes," reported the same back and recommended that it be referred to the joint committee on revision.

The report of the committee was concurred in, and the bill was ordered so referred.

Mr. Sanford (by unanimous consent), from the committee on judiciary, to which was referred Senate bill, No. 570, for "An act to amend section 48 of an act entitled 'an act in regard to practice in courts of record,' approved February 22, 1872," reported the same back and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill was ordered to lie on the table.

Mr. Sanford (by unanimous consent), from the committee on judiciary, to which was referred Senate bill, No. 573, for "An act to amend section thirty-eight (38) of an act entitled 'an act to provide for the election and qualification of justices of the peace and constables, and to provide for the jurisdiction and practice of justices of the peace in civil cases, and fix the duties of constables, and to repeal certain acts therein named,' approved April, 1872, and in force July 1, 1872," reported the same back, and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Sanford (by unanimous consent), from the committee on judiciary, to which was referred House bill, No. 735, for "An act to amend section forty of an act entitled 'an act in regard to practice in courts of record,' approved February 22, 1872," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file to be considered by sections.

Mr. Sanford (by unanimous consent), from the committee on judiciary, to which was referred House bill, No. 99, for "An act relating to property of persons deemed in law illegitimate, who died prior to the passage of an act relating to the descent of property of such persons, approved February 12, 1853," reported the same back and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Sanford (by unanimous consent), from the committee on judiciary, to which was referred House bill, No. 266, for "An act entitled 'an act concerning all cities in this State within the limits of which there is or are no town, towns or parts thereof, organized under any township organization law and situated in any county which has heretofore adopted and is now acting under township organization laws, defining the relative rights of such cities and counties as regards county taxes, representation in the county board of supervisors, and securing the same, and providing for the assessment, levy and collection of taxes in such cities,' reported the same back, and recommended it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Sanford (by unanimous consent), from the committee on judiciary, to which was referred Senate bill, No. 498, for "An act to amend an act entitled 'an act to exempt the homestead from forced sale and to provide for setting off the same, and to exempt certain personal property from attachment and sale on execution, and from distress for rent,' reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

And the bill was ordered on file for a second reading.

Mr. Sanford, (by unanimous consent) from the committee on judiciary, to which was referred House bill, No. 608, for "An act to revise the law in relation to attorneys and counsellors," reported the same back, with amendments, and recommended their adoption, and that the bill as amended be passed.

The report of the committee was concurred in, and the amendments adopted.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative, and

The amendments were ordered printed.

House bill, No. 502, for "An act to repeal an act entitled 'an act to attach all fractional townships in Kaukaee county to full townships therein, for school purposes,'" was taken up for consideration by sections.

Section 1 was adopted.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative.

Senate bill, No. 227, for "An act granting a right of way to the Chicago and Pacific Railroad Company over lands of the Northern Illinois Hospital and Asylum for the Insane," was taken up for consideration by sections, and,

On motion of Mr. Canfield,

Ordered to lie on the table.

Senate bill, No. 373, for "An act to authorize courts of record having criminal jurisdiction in this State, when necessary, to order a special grand jury," was taken up for consideration by sections, and,

On motion of Mr. Patterson,

Ordered to lie on the table.

House bill, No. 17, for "An act to enable boards of underwriters incorporated by or under the laws of the State of Illinois, to establish and maintain a fire patrol," was taken up for consideration by sections, and,

On motion of Mr. McGrath,

Ordered to lie on the table.

House bill, No. 491, for "An act to amend section 2 of 'an act to amend chapter 22 of the Revised Statutes of 1845, entitled 'Charitable Uses,' in force March 31, 1869," was taken up for consideration by sections.

Section 1 was adopted.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative.

On motion of Mr. Cummings,

The Senate, at 12:20 o'clock P. M., adjourned until 2:30 o'clock P. M.

## TWO-THIRTY O'CLOCK, P. M.

Senate met, pursuant to adjournment.

The President announced the time for the special order, being the consideration of the motion entered by Mr. Dow, on Thursday, February 19, 1874, to reconsider the vote whereby the Senate adopted the resolution offered by Mr. Casey on Thursday, February 12, 1874, requesting the Governor to nominate five commissioners for the Southern Illinois Penitentiary, as provided by the act of the Legislature, approved February 28, A. D. 1867.

Mr. Brown moved to postpone the further consideration of the special order until Wednesday, March 4, 1874, at 2:30 o'clock P. M.

The question then being, "Shall the special order be postponed until Wednesday, March 4, 1874, at 2:30 o'clock P. M.?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :



Those voting in the affirmative are,

Messrs. Brooks, Brown, Canfield, Casey, Cummings, Cunningham, Ferrell, Glenn, Gundlach, Henry, Hinchcliffe, Hundley, Lee, McGrath, Patterson, Reynolds, Sheldon, Starnes, Voris, Ware—30.

Those voting in the negative are,

Messrs. Baldwin, Casey, Hampton, Jacobs, Kelly, Nicholson, Palmer, Sanford, Shepard, Warren, Whiting, Williamson—12.

House bill, No. 396, for "An act to secure to children elementary instruction," was taken up for consideration by sections.

Mr. Cusey offered the following amendment:

Amend section 1, by adding thereto the following: "*And provided, also, that every parent, guardian, master, or other person having control of any child between the ages of nine and fourteen years, residing in any school district, to cause such child to labor at least three months in each year, six weeks of which shall be consecutive.*"

And the question being, "Shall this amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brown, Casey, Cummings, Cusey, Hinchcliffe, Lee, McGrath, Palmer, Sheldon, Starnes—10.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Burke, Canfield, Castle, Cunningham, Ferrell, Glenn, Gundlach, Hampton, Henry, Hundley, Jacobs, Kelly, Nicholson, Patterson, Reynolds, Sanford, Shepard, Warren, Whiting, Williamson—22.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, to-wit:

House bill, No. 715, for "An act to amend the title of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' in force July 1, 1872."

House bill, No. 815, for "An act to extend the jurisdiction of county courts, and to provide for the practice thereof; to fix the time for holding the same, and to repeal an act therein named."

In the passage of which I am instructed to ask the concurrence of the Senate.

Sections 1, 2, 3, 4 and 5 were adopted.

Mr. Hampton offered the following amendment:

Amend by striking out section 6.

The question being, "Shall this amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Burke, Casey, Castle, Gundlach, Hampton, Hundley, Starnes, Warren—9.

Those voting in the negative are,

Messrs. Baldwin, Brown, Canfield, Cummings, Cunningham, Cusey, Glenn, Henry, Hinchcliffe, Jacobs, Kelly, Lee, McGrath, Nicholson, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Strong, Thompson, Ware, Whiting, Williamson—25.

Section 6 was adopted.

Mr. Cusey offered the following amendment:

Amend by adding the following section:

"§ 6 $\frac{1}{2}$ . That every parent, guardian, master, or other person having control of any child between the ages of nine and fifteen years, residing in any township in this State, shall cause such child to labor for three months or more annually, six weeks of which time the labor shall be consecutive. The work may be done at the home of such child; nothing but physical inability on the part of the child shall excuse the parent, guardian or master from the performance of this duty. And it is hereby made the duty of overseers of the poor in each township of this State, to prosecute, in the name of the People of the State of Illinois, any such parent, guardian or master who may fail to comply with the provisions of this act; and, upon conviction, such parent, master or guardian shall be fined in a sum of not less than \$25, the said fine to be paid into the county treasury. The said overseers of the poor shall also furnish such children, if necessary, the necessary clothing, the same to be paid for out of the county treasury."

The question being, "Shall this amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Burke, Casey, Cummings, Cusey, Gundlach, Hinchcliffe, Lee, Palmer, Starne, Ware, Warren—11.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Brown, Canfield, Cunningham, Hampton, Henry, Hundley, Jacobs, Kelly, Nicholson, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Strong, Thompson, Whiting, Williamson—21.

The question being, "Shall the bill be read third time?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Canfield, Castle, Cummings, Cunningham, Gundlach, Hampton, Henry, Jacobs, Lee, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Strong, Thompson, Ware, Whiting, Williamson—25.

Those voting in the negative are,

Messrs. Brooks, Burke, Casey, Cusey, Ferrell, Glenn, Hinchcliffe, Hundley, Kelly, Starne, Warren—11.

House bill, No. 598, for "An act in relation to the collection of wages," was taken up for consideration by sections.

Mr Cusey offered the following amendment:

Strike out all of section 1 after the word "obtained" in line 7.

Mr. McGrath offered the following amendment to the amendment:

Amend by inserting after the word "fees," in line 7, the words "not to exceed \$10 when judgment is obtained."

Mr. Canfield moved to lay the bill and amendments on the table.

The question being, "Shall the bill and amendments lie on the table?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Burke, Canfield, Casey, Cummings, Cusey, Ferrell, Gundlach, Hampton, Henry, Hundley, Nicholson, Patterson, Sanford, Sheldon, Shepard, Starne, Ware, Warren, Whiting—21.

Those voting in the negative are,

Messrs. Brooks, Castle, Cunningham, Donahue, Glenn, Hinchcliffe, Jacobs, Kelly, Lee, McGrath, Palmer, Reynolds, Steele, Strong, Thompson, Williamson, Mr. President—17.

Mr. Ware moved to reconsider the vote whereby House bill, No. 598,

for "An act in relation to the collection of wages," and pending amendments, were laid on the table.

The question being, "Shall the vote whereby the bill and amendments were laid on the table be reconsidered?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Brown, Castle, Glenn, Henry, Hinchcliffe, Jacobs, Kelly, Lee, McGrath, Reynolds, Steele, Strong, Thompson, Ware, Mr. President—16.

Those voting in the negative are,

Messrs. Baldwin, Burke, Canfield, Casey, Cummings, Cusey, Ferrell, Gundlach, Hampton, Nicholson, Patterson, Sanford, Sheldon, Shepard, Starne, Warren, Whiting—17.

Mr. Hampton (by unanimous consent) withdrew the motion, entered by him on Friday, February 27, 1874, to reconsider the vote whereby the Senate adopted a resolution offered by Mr. Crews on Wednesday, February 25, 1874, calling on the Board of Railroad and Warehouse Commissioners for certain information relative to the preparation of the schedules adopted by them for the transportation of freight and passengers on the different railroads in this State.

Senate bill, No. 419, for "An act to authorize persons owning personal property upon which there is owing the whole, or any part of the purchase money thereof, to deduct the sum so owing thereon from the valuation of such property in assessing the same for taxation," was taken up for consideration by sections.

On motion of Mr. Brown,

The further consideration of the bill was postponed to and made the special order for Wednesday, March 4, 1874, at 11 o'clock A. M.

Senate bill, No. 535, for "An act to amend an act entitled 'an act in regard to guardians and wards,' approved April 10, 1872," was taken up for consideration by sections.

Mr. Jacobs offered the following amendment, which was adopted:

Amend Senate bill, No. 535, by inserting after the word "may," in line 8, these words "at his election;" and strike out the words "or her" in the same line.

Section 1 as amended was adopted.

And the question being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, to-wit:

House bill, No. 859, for "An act to amend section 14 of an act entitled 'an act concerning jurors, and to repeal certain acts herein named,' approved February 11, 1874."

In the passage of which I am instructed to ask the concurrence of the Senate.

Senate bill, No. 530, for "An act making an appropriation to defray the actual expenses of the commissioners appointed by the Governor to urge the improvement of the Ohio river by the general government," was taken up for consideration by sections, and,

On motion of Mr. Reynolds,

Was ordered to lie on the table.

On motion of Mr. Reynolds,

The vote whereby Senate bill, No. 530, was laid on the table was reconsidered.

The question then being, "Shall the bill lie on the table?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Castle, Cummings, Cunningham, Donahue, Hampton, Henry, Handley, Jacobs, Nicholson, Patterson, Reynolds, Sanford, Shepard, Steele, Warren—15.

Those voting in the negative are,

Messrs. Brooks, Brown, Burke, Casey, Casey, Ferrell, Glenn, Lee, Palmer, Sheldon, Starnes, Thompson, Ware, Whiting, Williamson, Mr. President—16.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the adoption of their amendments to House bill, No. 621, for "An act to revise the law in relation to the construction of the Statutes."

Mr. Cummings, at 5:15 o'clock P. M., moved to adjourn, and that the pending order of business be made the special order of business immediately after the reading of the journal to-morrow morning; which motion was decided in the affirmative.

WEDNESDAY, MARCH 4, 1874—10 O'clock A. M.

The Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Black.

The journal of yesterday was being read, when,

On motion of Mr. Reynolds,

The further reading of the same was dispensed with.

Leave of absence was granted Mr. Castle.

Mr. Reynolds (by unanimous consent), from the committee on revision, to which was referred House bill, No. 741, for "An act in relation to courts of record in cities," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

The bill was ordered on file for a second reading.

Mr. Reynolds (by unanimous consent), from the committee on revision, to which was referred House bill, No. 179, for "An act to provide for the qualification of State's attorneys," reported the same back, and recommended its passage.

The bill was ordered on file to be considered by sections.

Mr. Reynolds (by unanimous consent), from the committee on revision, to which was referred Senate bill, No. 577, for "An act to amend sections 1, 2, 4, 7, 9 and 12 of an act entitled 'an act for the registry of electors, and to prevent fraudulent voting,' approved February 15, 1865, and to repeal section 10 of said act," reported the same back, and recommended its passage.

The bill was ordered on file for a first reading.

Mr. Reynolds (by unanimous consent), from the committee on insurance, to which was referred Senate bill, No. 420, for "An act to provide for the organization of county fire insurance companies," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

The bill was ordered on file in the order of pending questions.

The President presented the following communication from the Board of Railroad and Warehouse Commissioners :

*To the HON. JOHN EARLY, President of the Senate :*

SIR: We have the honor to acknowledge the receipt of the preamble and resolutions hereto attached :

WHEREAS, it has been openly charged on the floor of the Senate, at the adjourned session of the Twenty-eighth General Assembly, by an honorable Senator, that the rates or schedule of charges, as fixed and established by the Board of Railway and Warehouse Commissioners, had been prepared by certain distinguished agents and employees of some unknown railroad monopolies, at the special instance and request of the Railway and Warehouse Commission of this State, and that such schedules were thus prepared and adopted in the special interest of such railway monopolies so represented, and in derogation of the rights of the People of the State, who were in no wise counseled or consulted in the preparation of such schedules; now, therefore, in consideration of the foregoing premises, be it

*Resolved by the Senate,* That the Board of Railway and Warehouse Commissioners be and they are hereby respectfully requested to communicate to the Senate such information as they may be in possession of, touching the truth or falsity of the charge that has thus publicly been made against their official conduct in the premises herein referred to.

*And be it further resolved,* That, in further elucidation of the premises herein referred to, the said Board be and they are hereby respectfully requested to communicate to the Senate the reasons that induced them to establish such high rates of charges for the first mile of transportation of freight on the several railroads of this State, as compared with the rates fixed by them for the subsequent miles of transportation on such roads, and what, in their judgment, will be the effect of such onerous charges on the first mile of freights on eastern-bound freights in that portion of the State, say within 30 miles of the eastern boundary from Chicago to Cairo.

In answering the charge set forth in the preamble, we state, first, that the charge is false. We have not at any time had before us, nor have we on any occasion consulted or advised with any agent, employee of any railroad corporation, or any other person, in or out of the State, for any such purposes as charged in the said preamble.

In answer to the first resolution, we state that no agent, attorney, employee, or other person connected with any railroad anywhere, has "at our instance and request," or in any other manner, attempted to influence the Commissioners improperly, or in any way, in the fixing of rates for any of the railroads of this State. Nor has any person, directly or indirectly, attempted to influence us in our official conduct to the prejudice of any person or interest, since our appointment as Railroad and Warehouse Commissioners.

The rates fixed in the schedules for the several railroads of the State, were each and all of them fixed by the three Commissioners whose names appear on the schedules—the Secretary and clerks in the office doing the clerical work.

For a more full and complete answer to the preamble and resolutions, we beg leave to submit that part of our third annual report that relates to the preparation of the schedules.

"The work of preparing the schedules, directed by the eighth section of the act of May 2, 1873, for the railroad corporations' doing business in this State, together with a classification of freight, explanatory and forming a part of each of the schedules to be prepared by the Commissioners, was commenced early in the month of August last, with the intention of having them published, if possible, in ample time to afford members of the adjourned session of the General Assembly, before they convene in January next, and all others interested, an opportunity to examine the same."

The Commissioners, impressed with the magnitude and importance of the undertaking, entering as we were upon a track then unbeaten, and anxious to secure the greatest accuracy possible in our schedules, indulged the hope that, by thus submitting them, such suggestions and criticisms would be called forth as would lead to the making of any needed changes, and to the correction of any errors that might have existed in the tariffs and classification at the time of publication.

Suggestions of value from the sources mentioned have been received, of which we shall avail ourselves in time to have them appear in the revised and corrected schedules and classification of freight, to be completed and published in a supplemental tariff sheet, before the meeting of the next General Assembly.

The chief value of a schedule, such as we are now considering, is the *justness of its rates*. To this point, therefore, our labors have been mainly directed. No efforts have been spared to obtain information deemed by us likely to aid in arriving at correct conclusions, bearing upon the subject of reasonable maximum rates for the organized railroads of the State. A careful comparison of the published tariffs of the railroad companies of this and many of the other States was made, with the view to determine in what particulars they agreed or differed, when compared with each other. We will not attempt here to exhibit, in detail, the differences that were found to exist, even amongst roads having very much the same characteristics. It may be mentioned, however, that differences wide apart, and difficult of explanation, were found by the comparison of their local tariffs. It is proper to state, in this connection, that with the tariffs of most of the principal roads of the country before us, prepared by the general freight agents of the various roads *themselves*—the only experts known to the Commissioners in a work of this kind—it seemed that no valuable purpose could be accomplished by inviting them (the general freight agents) to a conference, or to seek from them information bearing upon the subject of tariffs, otherwise than in the manner mentioned: by an inspection of their published schedules. In a few instances when they have been personally consulted, they have generally referred us to their schedules, as indicating their views in regard to the justness of a tariff of rates for their particular line of road, and we believe, without an exception, have insisted upon the correctness of the principles embodied in their published rates.

Prominent among the subjects considered in preparing the schedules, we mention the following: Amount of capital invested in road and equipment; amount of business done; average proportion of operating expenses to gross earnings, etc. That which in a greater degree, however, contributed to assist in this department of our labor, was the testimony of well informed shippers from different parts of the State, including dealers in grain, lumber, coal, bar-iron and steel, live stock, and merchandise of almost every description.

From the representatives of these various interests we have received much information that was valuable in fixing what we trust will prove to be an equitable and remunerative passenger and freight rate for all the railroad companies now organized under the laws of this State.

Mention has already been made of our intention to make some changes in the schedules and classification of freight. Availing ourselves of that provision of the law which wisely gives the commissioners "from time to time, and as often as circumstances may require," the power to change and revise the schedules made by them, we will, as soon as relieved of official duties more urgent in their nature, make some slight changes in the classification of freight, and also in the rates of lumber by the car load for the roads following, to-wit: Toledo, Wabash and Western, Chicago and Alton, Chicago, Burlington and Quincy, Chicago and Northwestern, Chicago, Rock Island and Pacific, Illinois Central, Indianapolis and St. Louis, Ohio and Mississippi, St. Louis, Vandalia and

Terre Haute, Columbus, Chicago and Indiana Central, Indianapolis, Bloomington and Western. These contemplated alterations in the tariffs and classifications, other than has been mentioned, have not yet been agreed upon. They are, however, under advisement by this board, and will be determined on and published at an early day.

For the greater convenience of all, we have made five divisions of the roads of the State, and in the absence of any satisfactory reason for a different arrangement, we have given to the roads associated in their respective divisions a corresponding rate. The first division is enumerated above. The second includes Michigan Central, Lake Shore and Michigan Southern, and Pittsburg, Fort Wayne and Chicago. The third division. Chicago, Danville and Vincennes, Toledo, Peoria and Warsaw, St. Louis, Alton and Terre Haute, Illinois and St. Louis Railroad and Coal Company, and Western Union. The fourth division, Peoria, Pekin and Jacksonville, Peoria and Rock Island, Rockford, Rock Island and St. Louis, and St. Louis and Southeastern. The fifth division includes all organized railroads in this State not mentioned in the foregoing divisions or groups. It will be observed from the following quotation from the eighth section of the act of May 2, 1873, that a separate schedule is required for each of the railroads in the State: "The Railroad and Warehouse Commissioners are hereby directed to make for each of the railroad corporations doing business in this State, as soon as practicable, a schedule of reasonable maximum rates of charges for the transportation of passengers and freight and cars on each of said railroads," etc., etc. In compliance with this requirement of the law, a separate schedule has been made and published for each of the railroad corporations doing business in this State. For the rates fixed for the several roads we beg leave to refer to the published schedules and classification of freights.

There is, perhaps, no feature connected with railroad tariffs in which the people at large feel a deeper interest, apart from the justness of rates, than that of stability of rates. We do not mean, of course, that the rates should not be subject to change, nor subject to change in the manner prescribed by the law under which these schedules are prepared, to meet the wants from time to time of all the interests involved; but that the tariffs should have such a system of agreement or harmony in all their parts, and be so impartial in the purposes intended in their arrangement, as to leave the necessities for change as few as possible, and then no change should be made until due notice of the intended change is made public. By the sudden and unexpected alterations that are frequently made by the managers of railroad corporations in their rates great injustice is done to the patrons of their roads. Take, for instance, a single case: A makes a purchase on the first day of June of 1,000 head of cattle, which he has contracted to deliver in Chicago on the 7th day of July following, distance of point of shipment from Chicago 200 miles, local rates for cattle at the time of purchase—open to all—\$30 per car load. Rates at the time of shipment \$40 per car load. Say he ships 17 cattle to the car—51 cars in all. The loss to A on each car would be \$10. Total loss on the 1,000 cattle, \$590.

And this on a single shipment, occasioned by an advance in rates that A had no means of anticipating or any knowledge of, until his cattle were driven to the station for shipment.

The case is a supposed one; but actual cases, resulting in loss and disappointment to the shipper, we might multiply almost indefinitely.

To remedy this evil, that has so long existed to the injury of shippers, and of which there is so much just cause of complaint, provision is made in the law of 1873, requiring the commissioners, where changes are made in the schedules prepared by them, to cause publication to be made for three successive weeks, etc.

We have said elsewhere in this report that the chief value of a schedule is the *justness of its rates*. We have also alluded to another important feature, *stability in rates*. In closing our remarks upon the preparation of the schedules, we mention the greater requisite of the three. To whomsoever it is made the duty to do this work, he must be capable and honest—turning neither to the right hand nor to the left; for without these indispensable qualifications combined—ability to the work, and honesty of purpose in its execution—his labors will be of no avail.

In reply to the second resolution, asking the reasons that induced the board to establish such high rates of charges for the first mile of transportation of freight, as compared with the rates fixed for subsequent miles, etc., we respectfully submit, that the labor of loading and unloading freight, including the delay of cars in loading, and the cost of transporting empty cars to the point of shipment, forms a part of the cost of transportation, and that this part of the cost is necessarily incurred, whether the freight is to be moved one mile, or fifty miles. We therefore endeavored to fix a rate upon the first mile that would recompense the railroad company for the labor performed, and having done this, the additional charge for the second mile would be much less. This charge being generally uniform over all roads, in all parts of the State, we are unable to see, and have not found by observation, that such a charge is unfair either to railroad companies or to shippers residing in that "portion of the State within, say, thirty miles of the eastern boundary of the State from Chicago to Cairo."

All of which is respectfully submitted.

(Signed)

JOHN M. PEARSON,

*Chairman Railroad and Warehouse Commission.*

On motion of Mr. Whiting,

The communication from the Board of Railroad and Warehouse Commissioners was ordered printed.

Mr. Dow presented a petition from citizens of Hopedale, Tazewell county, Illinois, praying for a modification of the present railroad law; which, on his motion, was referred to the committee on railroads.

Mr. Voris presented a petition from citizens of Rock Island, Illinois, praying for a modification of the present railroad law; which, on his motion, was referred to the committee on railroads.

Mr. Steele (by unanimous consent) called up House bill, No. 859, for "An act to amend section fourteen (14) of an act entitled 'an act concerning jurors, and to repeal certain acts herein named.'"

Which was read at large a first time, and ordered to a second reading.

The President announced the time for the consideration of the special order, being the order of bills on second reading by sections.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, to-wit:

House bill, No. 425, for "An act making an appropriation for the benefit of the State Board of Agriculture, and of county agricultural boards."



In the passage of which I am instructed to ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Magie :

Mr. President : I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit :

Senate bill, No. 529, for "An act concerning circuit courts, and to fix the times of holding the same in the several counties of the judicial circuits in the State of Illinois, exclusive of Cook," approved May 2, 1873," with amendment.

In the adoption of which amendment I am instructed to ask the concurrence of the Senate.

Senate bill, No. 530, for "An act making an appropriation to defray the actual expenses of the commissioners appointed by the Governor to urge the improvement of the Ohio river by the general government," was taken up for consideration by sections.

Sections 1 and 2 were adopted.

Mr. Whiting moved to recommit the bill to the committee on appropriations.

The question being, "Shall the bill be recommitted to the committee on appropriations ?" and the yeas and nays being demanded, it was decided in the negative by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cummings, Cunningham, Cusey, Green, Hampton, Hinchcliffe, Jacobs, McGrath, Murphy, Nicholson, Sanford, Shepard, Whiting, Wilcox, Williamson—13.

Those voting in the negative are,

Messrs. Brooks, Brown, Burke, Canfield, Casey, Ferrell, Glenn, Gundlach, Henry, Hundley, Reynolds, Sheldon, Starnes, Strong, Thompson, Ware, Warren, Youngblood, Mr. President—13.

On motion of Mr. Nicholson,

The previous question was ordered.

The question being, "Shall this bill be engrossed and printed for a third reading ?" it was decided in the negative by the following vote :

Those voting in the affirmative are,

Messrs. Brooks, Canfield, Casey, Cusey, Ferrell, Glenn, Gundlach, Hundley, McGrath, Starnes, Ware, Youngblood, Mr. President—13.

Those voting in the negative are,

Messrs. Baldwin, Brown, Cummings, Cunningham, Green, Hampton, Henry, Jacobs, Kelly, Lee, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Strong, Thompson, Voria, Warren, Whiting, Wilcox—25.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and on the 4th day of March, 1874, laid before the Governor for his approval, viz :

Senate bill, No. 450, for "An act to revise the law in relation to dower."

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed, viz :

Senate bill, No. 449, for "An act to revise the law in relation to permitting animals to run at large."

Senate bill, No. 502, for "An act to authorize the legislative authorities of any city in this State having over two hundred thousand inhabitants to use any money standing to the credit of any city fund, either general or special, to meet the demands on any other city fund in which there may be a deficiency."

Senate bill, No. 542, for "An act to amend section one hundred and nine (109) of an act entitled 'an act in regard to the administration of estates,' approved April 1, 1872."

Senate bill, No. 558, for "An act to amend section 20 of an act entitled 'an act concerning conveyances,' approved March 29, 1872."

The President, at 11 o'clock A. M., announced the time for the special order, being the consideration of Senate bill, No. 419, for "An act authorizing persons owning property upon which there is owing the whole or any part of the purchase money thereof, to deduct the sum so owing thereon from the valuation of such property in assessing the same for taxation," by sections.

Mr. Cummings offered the following amendment:

In section 1, line 2, strike out the word "any," and insert the words "real and."

Pending the consideration of which,

Mr. Steele, at 11:10 o'clock A. M., announced that he had received information of the death of the wife of Hon. Milton Hay, a member of the House of Representatives; and in consequence of which, and as a mark of respect, he moved that the Senate adjourn, and that the pending order of business be made the special order for to-morrow morning at 10 o'clock; which motion was decided in the affirmative.

#### THURSDAY, MARCH 5, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Black.

The journal of yesterday was being read, when,

On motion of Mr. Cummings.

The further reading of the same was dispensed with.

The President announced the time for the special order, being the consideration of Senate bill, No. 419, for "An act to authorize persons owning personal property upon which there is owing the whole or any part of the purchase money thereof to deduct the sum so owing thereon from the valuation of such property in assessing the same for taxation," and the pending amendment, offered by Mr. Cummings: Section 1, line 2, strike out the word "any" and insert the words "real and."

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Burke, Casey, Cummings, Cusey, Ferrell, Green, Gundlach, Hampton, Hundley, Kelly, McGrath, Nicholson, Palmer, Patterson, Sheldon, Shepard, Sterne, Steele, Thompson, Upton, Voris, Warren, Whiting, Wilcox, Williamson—33.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Brown, Canfield, Cunningham, Glenn, Henry, Hinchcliffe, Jacobs, Kehoe, Murphy, Reynolds, Sanford, Strong, Ware, Youngblood—16.

Section 1 as amended was adopted.

Section 2 was adopted.

Mr. Palmer moved that the bill and amendment lie on the table.

The question being, "Shall this bill lie on the table?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Cunningham, Cusey, Ferrell, Henry, Hinchcliffe, Hundley, Kelly, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Thompson, Warren, Youngblood—17.

Those voting in the negative are,

Messrs. Archer, Brooks, Brown, Burke, Canfield, Casey, Dow, Glenn, Green, Hampton, Jacobs, Kehoe, Lee, Murphy, Patterson, Starnes, Steele, Strong, Upton, Voris, Ware, Wilcox, Williamson—23.

Mr. Cummings moved to recommit the bill to the committee on revenue.

The question being, "Shall the bill be recommitted to the committee on revenue?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Cummings, Cunningham, Cusey, Ferrell, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Kelly, McGrath, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Thompson, Voris, Warren, Whiting, Youngblood—24.

Those voting in the negative are,

Messrs. Brooks, Brown, Burke, Canfield, Casey, Dow, Glenn, Green, Jacobs, Murphy, Patterson, Starnes, Steele, Strong, Upton, Ware, Wilcox, Williamson—18.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to lay before the Senate the following written communication:

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, March 5, 1874.

To the Honorable the Senate:

By request, I respectfully withdraw from further consideration of the Senate the name of William P. Barr, as Trustee of the Institution for the Education of the Deaf and Dumb.

JOHN L. BEVERIDGE,  
Governor.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, to-wit:

Senate bill, No. 457, for "An act to revise the law in relation to jails and jailers."

Senate bill, No. 450, for "An act to revise the law in relation to dower."

House bill, No. 653, for "An act to revise the law in relation to township organization."

Mr. Hinchcliffe (by unanimous consent) introduced Senate bill, No. 594, for "An act relating to surveyors."

Which was ordered to a first reading, and,

On motion of Mr. Hinchcliffe,

Was referred to the committee on miscellany.

Mr. Reynolds (by unanimous consent) introduced Senate bill, No. 595, for "An act to revise the law in relation to Soldiers' Orphans' Home."

Which was ordered to a first reading.

Senate bill, No. 513, for "An act to amend section 24 of an act entitled 'an act for the assessment of property and for the levy and collec-

tion of taxes,' approved March 30, A. D. 1872," was taken up for consideration by sections.

The pending question being on the following amendment, offered by Mr. Brown,

Amend by adding after line 10, "*Provided*, that from the value of the property as found by the assessor there may be deducted the amount of any *bona fide* indebtedness due on the same for the purchase money thereof."

Mr. Sheldon moved to recommit the bill to the committee on revenue; which motion was decided in the negative.

Mr. Canfield offered the following amendment to the amendment, which was adopted:

Amend amendment by adding, "But in such case such indebtedness shall not be allowed to be deducted from credits."

Mr. Strong moved that the main question be now put; which motion was decided in the negative.

The question being, "Shall the amendment as amended be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Brown, Burke, Canfield, Casey, Dow, Glenn, Green, Gundlach, Jacobs, Kehoe, Lee, Patterson, Steele, Voria, Ware, Wilcox—17.

Those voting in the negative are,

Messrs. Archer, Baldwin, Cummings, Cunningham, Cusey, Ferrell, Hampton, Henry, Hinobcliffe, Hundley, Kelly, McGrath, Murphy, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Sterne, Strong, Thompson, Upton, Warren, Whiting, Williamson, Youngblood—27.

Pending the consideration of the bill,

On motion of Mr. Sheldon,

The Senate, at 12:20 o'clock P. M., adjourned until 2:30 o'clock P. M.

## TWO-THIRTY O'CLOCK, P. M.

Senate met, pursuant to adjournment.

Mr. McGrath, from joint committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and on the 5th day of March, 1874, laid before the Governor for his approval, viz:

Senate bill, No. 316, for "An act to revise the law in relation to recorders."

The consideration of Senate bill, No. 513, for "An act to amend section twenty-four (24) of an act entitled 'an act for the assessment of property and for the levy and collection of taxes,' approved March 30, A. D. 1872," by sections, was resumed.

Section 1<sup>st</sup> was adopted.

And the question being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Kehoe (by unanimous consent) introduced Senate bill, No. 506, for "An act in relation to gas works."

Which was ordered to a first reading, and,

On motion of Mr. Kehoe,

The rules were suspended, the bill read at large a first time, and ordered to a second reading.

Mr. Reynolds, (by unanimous consent) from the committee on revision, to which was referred Senate bill, No. 280, for "An act to revise the law in relation to change of venue," together with the amendments of the House of Representatives thereto, reported the same back and recommended that the Senate concur with the House of Representatives in the adoption of their amendments thereto.

On motion of Mr. Cummings,

The further consideration of the bill and amendments, were postponed to and made the special order for Tuesday, March 10, A. D. 1874, at 10 o'clock A. M.

Mr. Whiting (by unanimous consent) introduced Senate bill, No. 597, for "An act making an appropriation for repairing the lock-gates on the Little Wabash river."

Which was ordered to a first reading, and,

On motion of Mr. Whiting,

The rules were suspended, and the bill was read at large a first time, and ordered to a second reading.

Senate bill, No. 543, for "An act concerning covenants of warranty," was taken up for consideration by sections.

Section 1 was adopted.

And the question being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 501, for "An act to amend an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' approved March 29, 1872," was taken up for consideration by sections.

Mr. Hampton moved to postpone the further consideration of the bill indefinitely.

On motion of Mr. Nicholson,

The previous question was ordered.

The question being, "Shall this bill be indefinitely postponed?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Burke, Casey, Cummings, Cusey, Glenn, Green, Gundlach, Hampton, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Palmer, Reynolds, Sanford, Shepard, Starne, Strong, Thompson, Warren, Whiting, Wilcox, Youngblood—26.

Those voting in the negative are,

Messrs. Archer, Brooks, Canfield, Cunningham, Dow, Ferrell, Henry, Lee, McGrath, Nicholson, Patterson, Steele, Ware, Williamson, Mr. President—15.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has adopted the following resolution, to-wit:

WHEREAS certain decisions, delivered by some Illinois courts, materially change certain provisions in Senate bill, No. 403, Mechanic's Lien law, passed by this House, amended, and now before the Senate for concurrence; therefore,

Resolved, That this House respectfully request the Senate to return said bill to this House for the purpose of so amending said bill as to meet the wants of the people.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and on the 5th day of March, 1874, laid before the Governor for his approval, viz :

House bill, No. 621, for "An act to revise the law in relation to the construction of the statutes."

House bill, No. 500, for "An act to amend section fourteen (14) of an act entitled 'an act to provide for the management of the Illinois State Penitentiary at Joliet,' " was taken up for consideration by sections, and,

On motion of Mr. Reynolds,

Was recommitted to the committee on penal institutions.

Senate bill, No. 504, for "An act to repeal an act entitled 'an act in regard to the assessment of property and the levy and collection of taxes by incorporated cities in this State,' approved April 15th, 1873," was taken up for consideration by sections.

Mr. Reynolds moved to recommit the bill to the committee on municipalities.

Mr. Lee moved that the further consideration of the bill be indefinitely postponed.

The question being, "Shall this bill be indefinitely postponed?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Canfield, Cunningham, Dow, Green, Hinchcliffe, Jacobs, Kehoe, Kelly, Lee, McGrath, Nicholson, Patterson, Reynolds, Steele, Strong, Thompson, Upton, Mr. President—20.

Those voting in the negative are,

Messrs. Burke, Cummings, Cusey, Glenn, Hampton, Henry, Hundley, Murphy, Palmer, Sanford, Starne, Ware, Warren, Whiting, Wilcox, Youngblood—16.

House bill, No. 433, for "An act to amend section fifty-seven of an act entitled 'an act in regard to evidence and depositions in civil cases,' approved March 29th, A. D. 1872," was taken up for consideration by sections.

Section 1 was adopted.

And the question being, "Shall this bill be read a third time?" it was decided in the affirmative.

Mr. Reynolds moved that the present order of business, being the consideration of bills by sections, be postponed until Tuesday, March 10th, A. D. 1874, at 11 o'clock A. M.

The question being, "Shall the present order of business be postponed until Tuesday, March 10th, A. D. 1874, at 11 o'clock A. M.?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Patterson, Reynolds, Shepard, Thompson, Wilcox—6.

Those voting in the negative are,

Messrs. Brooks, Brown, Burke, Canfield, Casey, Cummings, Cusey, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hundley, Jacobs, Kehoe, Kelly, Lee, Murphy, Palmer, Sanford, Starne, Warren, Whiting, Williamson, Youngblood—27.

Mr. Sanford (by unanimous consent) called up House bill, No. 859, for "An act to amend section 14 of an act entitled 'an act concerning jurors and to repeal certain acts therein named.'"

Which was read at large a second time, and,

On motion of Mr. Hampton,

Referred to the committee on judiciary.

Senate bill, No. 432, for "An act to enable certain railroad corporations to change their termini," was taken up for consideration by sections, and,

On motion of Mr. Brooks,

Was ordered to lie on the table.

Mr. Dow (by unanimous consent) called up the message from the House of Representatives, received to-day, asking the Senate to return to them Senate bill, No. 403, for "An act to revise the law in relation to liens," with the amendments of the House of Representatives thereto.

On motion of Mr. Dow,

The Secretary of the Senate was directed to return the bill as requested by the House of Representatives.

Senate bill, No. 560, for "An act to protect colored children in their rights to attend public schools," was taken up for consideration by sections.

Mr. Brown offered the following amendment:

Amend section 1 by adding "unless they provide other reasonable school facilities for children of color."

The question being, "Shall this amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Brown, Burke, Casey, Glenn, Hinchcliffe, Hundley, Kelly, Lee, Murphy, Starne, Ware, Warren, Youngblood—14.

Those voting in the negative are,

Messrs. Baldwin, Canfield, Cummings, Cunningham, Cusey, Dow, Ferrell, Green, Gundlach, Hampton, Henry, Jacobs, Kehoe, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Shepard, Steele, Thompson, Whiting, Wilcox, Williamson, Mr. President—26.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly engrossed:

Senate bill, No. 535, for "An act to amend an act entitled 'an act in regard to guardians and wards,' approved April 10, 1872."

Mr. Cummings offered the following amendment:

Strike out in lines 5 and 6, section 1, the words "on account of the color of such child."

Pending the consideration of which,

Mr. Lee, at 5:50 o'clock P. M., moved that the Senate adjourn.

The question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Brown, Burke, Casey, Cummings, Glenn, Gundlach, Hampton, Hinchcliffe, Hundley, Kehoe, Kelly, Lee, Murphy, Palmer, Starne, Thompson, Ware, Warren, Youngblood—20.

Those voting in the negative are,

Messrs. Baldwin, Canfield, Cunningham, Cusey, Dow, Green, Henry, Jacobs, Nicholson, Patterson, Reynolds, Sanford, Shepard, Steele, Strong, Whiting, Wilcox, Williamson, Mr. President—19.

FRIDAY, MARCH 6, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Black.

The journal of yesterday was being read, when,

On motion of Mr. Nicholson,

The further reading of the same was dispensed with.

Mr. Jacobs presented a petition from citizens of Rochelle, Ogle county, Illinois, praying for a modification of the railroad law; which, on his motion, was referred to the committee on railroads.

Mr. Upton presented petitions from citizens of O'Plain and Waukegan, Lake county, Illinois, praying for the abolition of the penalty of death, and substituting imprisonment for life therefor; which, on his motion, was referred to the special committee appointed for that purpose.

Mr. Burke called up the following resolution:

*Resolved by the Senate,* That the Auditor of Public Accounts be and he is hereby requested to furnish to this Senate, at as early a moment as possible, the amount paid by the State for the revision of the statutes commonly known as the "Revised Statutes of 1845," and the amount of time or number of days employed in the revision of the same, if known.

Mr. Casey offered the following amendment, which was adopted:

Amend by adding, "And the Auditor is further requested to furnish the cost of the present revision, so far as the same can be obtained."

The question being, "Shall the resolution as amended be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Burke, Casey, Cummings, Cusey, Dow, Ferrell, Green, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, Nicholson, Palmer, Reynolds, Shepard, Starne, Upton, Whiting, Williamson, Mr. President—25.

Messrs. Sanford and Wilcox voted in the negative.

On motion of Mr. Williamson,

Leave of absence was granted Mr. Warren.

On motion of Mr. Reynolds,

Leave of absence was granted Mr. Sheldon.

Mr. Lee moved to suspend the rules for the purpose of considering the resolution offered by him on March 2, 1874, providing for an adjournment *sine die*.

The question being, "Shall the rules be suspended for the purpose of considering this resolution?" and the yeas and nays being demanded, it was decided in the negative by the following vote (two-thirds not voting in the affirmative):

Those voting in the affirmative are,

Messrs. Archer, Brown, Casey, Cummings, Dow, Green, Henry, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Palmer, Patterson, Reynolds, Starne, Voria, Ware, Williamson, Mr. President—21.

Those voting in the negative are,

Messrs. Baldwin, Burke, Cunningham, Cusey, Ferrell, Hampton, Nicholson, Sanford, Shepard, Steele, Upton, Whiting, Wilcox—13.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, viz:

House bill, No. 620, for "An act to revise the law in relation to the common law."

House bill, No. 621, for "An act to revise the law in relation to the construction of the statutes."

Mr. Dow, from the committee on fees and salaries, to which was referred Senate bill, No. 592, for "An act to amend section twelve (12) of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit court and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to



population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' approved March 29, 1872," reported the same back with an amendment, and recommended its adoption, and that the bill as amended be passed.

The report of the committee was concurred in, and the bill was ordered on file to be considered by sections.

Mr. Sanford, from the committee on judiciary, to which was referred House bill, No. 859, for "An act to amend section 14 of an act entitled 'an act concerning jurors and to repeal certain acts herein named,'" reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill was ordered on file to be considered by sections.

Mr. Sanford, from the committee on judiciary, to which was referred Senate bill, No. 476, for "An act to revise the law in relation to tender," together with the following amendments of the House of Representatives thereto:

Amend section 3 by striking out of third line, in said section, the words "in specie."

Amend section 6 by striking out the words "casual or involuntary," which occur in first and second lines of said section.

—Reported the same back, and recommended that the Senate concur with the House of Representatives in the adoption of the amendments.

The question then being, "Shall the Senate concur with the House of Representatives in the adoption of the amendments?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Burke, Casey, Cummings, Cunningham, Cusey, Dow, Ferrell, Green, Hampton, Henry, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sanford, Shepard, Starnes, Strong, Upton, Whiting, Williamson—36.

Those voting in the negative are,

Messrs. Brown, Voris, Ware—3.

Mr. Sanford, from the committee on judiciary, to which was referred Senate bill, No. 586, for "An act to authorize boards of county commissioners in counties not under township organization to fix the salaries and compensation of county officers," reported the same back and recommended its passage.

The bill was ordered on file for a second reading.

Mr. Williamson, from the committee on warehouses, to which was referred Senate bill, No. 564, for "An act providing for the better protection of persons owning grain stored in public warehouses of class A," reported the same back and recommended that it do not pass.

On motion of Mr. Williamson,

The bill was ordered on file to be considered by sections.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has adopted the following resolution, to-wit:

*Resolved by the House of Representatives, the Senate concurring,* That the Secretary of State cause to be published, in pamphlet form, 5,000 copies of a bill for "An act to revise the law in relation to township organization," and that he cause to be sent to the county clerk of each county in the State under township organization a sufficient number of copies to supply each supervisor and town clerk in such counties with a copy of the same, and the balance for the use of the General Assembly.

In the adoption of which I am instructed to ask the concurrence of the Senate.

Mr. Nicholson (by unanimous consent) called up for consideration the foregoing resolution from the House of Representatives.

The question being, "Shall the Senate concur with the House of Representatives in the adoption of the resolution?" it was decided in the affirmative.

Mr. Shepard, from the committee on appropriations, to which was referred Senate bill, No. 551, for "An act making an appropriation for the purchase of a site, and for the construction of buildings for the Illinois Institution for the Education of Feeble-minded Children," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

And the bill was ordered on file to be considered by sections.

Mr. Whiting, from the committee on canals and rivers, to which was referred Senate bill, No. 532, for "An act to provide for the construction of suitable fishways in dams constructed by the Board of Canal Commissioners across streams in this State," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

On motion of Mr. Lee,

The bill and amendments were recommitted to the committee on canals and rivers.

Mr. Henry, from the committee on penal institutions, to which was referred House bill, No. 515, for "An act to amend an act entitled 'an act in relation to the penitentiary at Joliet,' to be entitled 'an act to provide for the management of the Illinois State Penitentiary at Joliet,' approved June 16, 1871," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file to be considered by sections.

Mr. Baldwin, from the committee on education, to which was referred House bill, No. 806, for "An act to amend section 6 of 'an act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms,' approved March 7, 1872," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill was ordered on file to be considered by sections.

Mr. Nicholson, from the committee on agriculture and drainage, to which was referred Senate bill, No. 585, for "An act to amend an act entitled 'an act to revise and consolidate the several acts relating to the protection of game, and for the protection of deer, wild fowl and birds, and to repeal certain laws,' approved 3d of May, 1873," reported the same back, and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

On motion of Mr. Casey,

The rules were suspended, and the preamble and resolution offered by him on February 4th, A. D. 1874, in relation to the Kansas Pacific and Union Pacific Railroads, were taken up.

On motion of Mr. Casey,

The further consideration of the preamble and resolution was postponed to and made the special order for Wednesday, March 11, A. D. 1874, at 2:30 o'clock P. M.

Mr. Henry called up for consideration the motion, entered by Mr. Dow, on Thursday, February 19, 1874, to reconsider the vote whereby

the Senate adopted the resolution offered by Mr. Casey, on Thursday, Feb. 12, 1874, requesting the Governor to nominate five Commissioners for the Southern Illinois Penitentiary, as provided by the act of the Legislature, approved February 28, 1867.

Mr. Palmer moved to postpone the further consideration of the motion to reconsider to and make it the special order for Thursday, March 12, A. D. 1874, at 11 o'clock A. M.; which motion was decided in the affirmative.

Mr. Cusey introduced Senate bill, No. 598, for "An act to prevent collusion or conspiracy in the passage of measures in the General Assembly."

Which was ordered to a first reading, and,

On motion of Mr. Cusey,

The rules were suspended, and the bill was read at large a first time and ordered to a second reading, and referred to the committee on judiciary.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed :

Senate bill, No. 513, for "An act to amend section 24 of an act entitled 'an act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872."

Senate bill, No. 543, for "An act concerning covenants of warranty."

Senate bill, No. 467, for "An act to revise the law in relation to paupers," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Burke, Cummings, Cunningham, Cusey, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kelly, McGrath, Murphy, Palmer, Patterson, Reynolds, Shepard, Starne, Thompson, Upton, Voris, Ware, Whiting, Williamson, Youngblood, Mr. President—29.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Voris (by unanimous consent) called up House message on Senate bill, No. 529, for "An act to amend 'an act concerning circuit courts and to fix the times of holding the same in the several counties of the judicial circuits in the State of Illinois, exclusive of Cook,' approved May 2, 1873."

On motion of Mr. Voris,

The bill and message were referred to the committee on judiciary.

Senate bill, No. 541, for "An act to amend section 20 of an act entitled 'an act in regard to gateways, roads and bridges in counties not under township organization,' approved April 18, 1873," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 28, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brown, Burke, Cummings, Cunningham, Cusey, Ferrell, Green, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, Murphy, Palmer, Patterson, Reynolds, Shepard, Starne, Thompson, Upton, Voris, Ware, Whiting, Williamson, Youngblood—28.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Youngblood (by unanimous consent) called up Senate bill, No. 533, for "An act to appropriate \$60,000 to the city of Shawneetown in liquidation of the legal and equitable liabilities of the State to said city of Shawneetown, growing out of the ninth article of the 'act of

the General Assembly to incorporate the said city of Shawneetown,' approved February 22, 1861,"

Which was read at large a first time, and ordered on file to be considered by sections.

On motion of Mr. Youngblood,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

The question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative, and,

On motion of Mr. Youngblood,

The bill was made the special order for Friday, March 13, 1874, at 3 o'clock, P. M.

Mr. Thompson (by unanimous consent) introduced Senate bill, No. 599, for "An act to amend section one, of article eight, of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, 1872."

Which was ordered to a first reading, and,

On motion of Mr. Thompson,

The rules were suspended, and the bill read at large a first time and ordered to a second reading.

Mr. Whiting (by unanimous consent) called up Senate bill, No. 597, for "An act making an appropriation for repairing the lock-gates on the Little Wabash river."

Which was read at large a second time, and,

On motion of Mr. Whiting,

Referred to the committee on canals and rivers.

Mr. Kehoe (by unanimous consent) called up Senate bill, No. 596, for "An act in relation to gas works."

Which was read at large a second time, and,

On motion of Mr. Kehoe,

Referred to the committee on municipalities.

Mr. Ferrell (by unanimous consent) called up House bill, No. 815, for "An act to extend the jurisdiction of county courts and to fix the time for holding the same and to repeal an act therein named."

Which was read at large a first time, and ordered to a second reading, and,

On motion of Mr. Ferrell.

Referred to the committee on judicial department and apportionment.

On motion of Mr. Cummings,

The Senate, at 12:25 o'clock P. M., adjourned.

#### SATURDAY, MARCH 7, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by the Rev. Mr. Black.

The journal of yesterday was being read, when,

On motion of Mr. Glenn,

The further reading of the same was dispensed with.

By request of Senator Ferrell, leave of absence was granted to Secretary Ray.

By request of Senator Upton, leave of absence was granted to Senator Steele.

Mr. Hampton (by unanimous consent) introduced Senate bill, No. 600, for "An act to provide for the publication of the Revised Statutes of the State."

Which was ordered to a first reading.

By unanimous consent, the rules were suspended, the bill was read at large a first time, and ordered to a second reading and ordered printed.

By request of Mr. Shepard, leave of absence was granted to Mr. Canfield.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, to-wit:

House bill, No. 603, for "An act to revise the law in relation to the department of agriculture, county agricultural boards and agricultural fairs."

House bill, No. 810, for "An act to amend section fifty (50) of an act entitled 'an act to establish and maintain a system of free schools,' approved April 1, 1872."

In the passage of which I am instructed to ask the concurrence of the Senate.

Mr. Shepard (by unanimous consent) offered the following resolution, which laid over under the rule:

*Resolved, That, until further ordered, the sessions of the Senate commence at 9 o'clock, A. M.—this order to take effect on Tuesday, March 10, 1874.*

Mr. Kelly (by unanimous consent) offered the following resolution, which was laid over under the rule:

*Resolved by the Senate, the House of Representatives concurring herein, That our Senators are instructed and our Representatives in Congress requested to vote against any appropriation from the national treasury for the purpose of holding an international exposition at the city of Philadelphia, on the one hundredth anniversary of our national independence.*

*Resolved, That we are in favor of celebrating, in a national manner, the hundredth anniversary of our independence. And the Secretary of State is hereby directed to transmit a copy of the foregoing resolution to each of our Senators and Representatives at Washington.*

On motion of Mr. Cummings,

The rules were suspended for the purpose of taking up Senate bills on second reading.

Senate bill, No. 498, for "An act to amend an act entitled 'an act to exempt the homestead from forced sale and to provide for selling off the same, and to exempt certain personal property from attachment and sale on execution and from distress for rent,'"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

Senate bill, No. 538, for "An act to amend section fifty-four of article nine, of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, 1872."

Was taken up, read at large a second time, and ordered on file to be considered by sections.

Senate bill, No. 509, for "An act to amend an act entitled 'an act concerning appointments and removals of city officers in all cities in this State, conferring additional powers and duties upon the mayors of such cities, and concerning appropriation bills or ordinances that may be passed in such cities,' approved March 9, 1872,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

Senate bill, No. 190, for "An act to extend the jurisdiction of constables in incorporated towns and cities,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

Senate bill, No. 586, for "An act to authorize boards of county commissioners in counties not under township organization to fix the salaries and compensation of county officers,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

Senate bill, No. 599, for "An act to amend section 1, of article 8, of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, 1872,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

On motion of Mr. Thompson,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and on the 7th day of March, 1874, laid before the Governor for his approval, viz :

Senate bill, No. 476, for "An act to revise the law in relation to tender."

Senate bill, No. 593, for "An act to amend section number eight of an act entitled 'an act to provide for annexing and excluding territory to and from cities, towns and villages, and to unite cities, towns and villages,' approved April 10, 1872, and in force July 1, 1872,"

Was taken up, read at large a first time, and ordered to a second reading.

Senate bill, No. 577, for "An act to amend sections 1, 2, 4, 7, 9 and 12, of an act entitled 'an act for the registry of electors and to prevent fraudulent voting,' approved February 10, 1865, and to repeal section ten of said act,"

Was taken up, read at large a first time, and ordered to a second reading.

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has returned to them a bill of the following title, to-wit :

Senate bill, No. 403, for "An act to revise the law in relation to liens," with amendments.

Mr. Thompson (by unanimous consent) introduced Senate bill, No. 601, for "An act to revise the law in relation to liens."

Which was ordered to a first reading, and,

On motion of Mr. Thompson,

The rules were suspended, the bill read at large a first time, and ordered to a second reading.

Senate bill, No. 595, for "An act to revise the law in relation to the Soldiers' Orphans' Home,"

Was taken up and read at large a first time, and ordered to a second reading.

Mr. Williamson (by unanimous consent) presented a petition from the Board of Trade of the city of Chicago, in regard to the present railroad law ; which was referred to the committee on railroads.

Senate bill, No. 587, for "An act to amend an act entitled 'an act concerning circuit courts, and to fix the times of holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook,' approved May 2, 1873," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 26, nays 1.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Burke, Cummings, Cunningham, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Jacobs, Kehoe, Kelly, Lee, McGrath, Palmer, Reynolds, Sterne, Upton, Voria, Ware, Whiting, Williamson, Mr. President—26.

Mr. Youngblood voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 449, for "An act to revise the law in relation to permitting animals to run at large,"

Was taken up and read at large a third time, and,

On motion of Mr. Palmer,

The further consideration of the same was postponed to and made the special order for Thursday, the 12th inst., at 10 o'clock A. M.

By request of Mr. Kelly, leave of absence was granted Mr. Cusey.

Mr. Lee moved to suspend the rules for the purpose of considering his resolution in regard to a *sine die* adjournment of the General Assembly on the 20th instant.

And the yeas and nays being demanded, the motion was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Cummings, Glenn, Green, Gundlach, Jacobs, Kehoe, Kelly, Lee, McGrath, Palmer, Thompson, Ware, Youngblood—14.

Those voting in the negative are,

Messrs. Baldwin, Burke, Cunningham, Ferrell, Hampton, Henry, Reynolds, Sanford, Shepard, Upton, Voria, Whiting, Williamson, Mr. President—14.

Mr. McGrath, at 11:45 o'clock A. M., moved that the Senate do now adjourn.

The yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Kehoe, Lee, McGrath—3.

Those voting in the negative are,

Messrs. Archer, Baldwin, Burke, Cummings, Cunningham, Donahue, Ferrell, Glenn, Green, Hampton, Henry, Jacobs, Kelly, Palmer, Reynolds, Sanford, Shepard, Sterne, Upton, Voria, Ware, Whiting, Williamson, Youngblood, Mr. President—23.

Mr. Ferrell (by unanimous consent) called up House bill, No. 603, for "An act to revise the law in relation to the department of agriculture, county agricultural boards and agricultural fairs."

Which was read at large a first time, and ordered to a second reading.

Mr. Cummings (by unanimous consent) called up House bill, No. 810, for "An act to amend section 50 of an act entitled 'an act to establish and maintain a system of free schools,' etc.

Which was read at large a first time, and ordered to a second reading, and,

On motion of Mr. Cummings,

Referred to the committee on education.

Mr. Williamson (by unanimous consent) called up Senate bill, No. 579, for "An act to amend section 15 of an act entitled 'an act to regulate public warehouses and the warehousing and inspection of grain, and to give effect to article 13 of the constitution of the State,' approved April 25, 1871," for consideration by sections.

Section 1 was adopted.

Mr. Williamson offered the following amendment, which was adopted :

Amend by striking out section 2.

Mr. Whiting, at 12:35 o'clock P. M., moved that the Senate adjourn until 2:30 o'clock P. M.

Mr. Starne moved that the Senate do now adjourn.

The yeas and nays being demanded, the motion to adjourn was decided in the negative by the following vote :

Those voting in the affirmative are,

Messrs. Donahue, Kehoe, Palmer, Starne, Youngblood—5.

Those voting in the negative are,

Messrs. Archer, Baldwin, Cummings, Cunningham, Ferrell, Green, Gundlach, Hampton, Henry, Jacobs, Kelly, Reynolds, Sanford, Upton, Ware, Whiting, Williamson, Mr. President—18.

By request, leave of absence was granted the following Senators : Strong, Thompson, Patterson, McGrath, Murphy, Casey.

Mr. Hampton moved a call of the Senate.

Pending which call,

On motion of Mr. Whiting,

Further proceedings under the call were dispensed with.

On motion of Mr. Cummings,

The Senate, at 12:40 o'clock P. M., adjourned.

### MONDAY, MARCH 9, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Gill.

The journal of Saturday last was being read, when,

On motion of Mr. Henry,

The further reading of the same was dispensed with.

Mr. Strong, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed, viz :

Senate bill, No. 583, for "An act to appropriate \$60,000 to the city of Shawneetown, in liquidation of the legal and equitable liabilities of the State to said city of Shawneetown, growing out of the ninth article of the act of the General Assembly to incorporate the said city of Shawneetown, approved February 22, 1861."

Senate bill, No. 599, for "An act to amend section 1, of article 8, of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, 1872."

Mr. Hinchcliffe (by unanimous consent) introduced Senate bill, No. 602, for "An act in relation to licensed surveyors."

Which was ordered to a first reading, and,

On motion of Mr. Hinchcliffe,

The rules were suspended, and the bill read at large a first time, ordered to a second reading, and referred to the committee on miscellany.



On motion of Mr. Palmer,

The vote whereby Senate bill, No. 449, for "An act to revise the law in relation to permitting animals to run at large," was postponed to and made the special order for Thursday, March 12, A. D. 1874, at 10 o'clock A. M., was reconsidered.

The question then being, "Shall the bill be postponed to and made the special order for Thursday, March 12, A. D. 1874, at 10 o'clock A. M.?" it was decided in the negative.

On motion of Mr. Palmer,

The bill was recommitted to the committee on agriculture and drainage.

Mr. Jacobs, (by unanimous consent,) from the committee on corporations, to which was referred Senate bill, No. 526, for, "An act to repeal an act entitled 'an act to amend an act authorizing certain persons holding property in trust for the use of the Catholic church and societies thereof, in the State of Illinois, to convey the same,' approved February 24, 1845; also, to incorporate the Catholic Bishop of Chicago, and confirm conveyances made since the 24th day of February, 1845, heretofore by the Catholic Bishop of Chicago,' approved February 20, 1861," reported the same back and recommended that it do not pass.

On motion of Mr. Hampton,

The bill was ordered on file for a second reading.

Mr. Jacobs, (by unanimous consent,) from the committee on corporations, to which was referred House bill, No. 798, for "An act to amend section 8 of an act entitled 'an act concerning corporations,' approved April 18, 1872," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill was ordered on file for consideration by sections.

By unanimous consent, Mr. Kehoe called up Senate bill, No. 601, for "An act to revise the law in relation to liens," for consideration, and,

On motion of Mr. Cummings,

The bill was referred to the committee on judiciary.

Mr. Baldwin, (by unanimous consent,) from the committee on education, to which was referred House bill, No. 763, for "An act to amend section 35 for an act entitled 'an act to establish and maintain a system of free schools,' approved April 1, 1872," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for consideration by sections.

Mr. Patterson, (by unanimous consent,) from the committee on geology and science, to which was referred House bill, No. 438, for "An act to amend section 3 of an act providing for the publication and distribution of the fifth volume of the report of the State Geologist, and to fix the amount of his salary until the publication of the sixth and final volume of said report," reported the same back and recommended it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

House bill, No. 528, for "An act to repeal an act entitled 'an act to increase the jurisdiction of county courts,' approved April 5, 1872,"

Was taken up and read at large a second time, and ordered on file to be considered by sections.

House bill, No. 594, for "An act to amend an act entitled 'an act to provide for the incorporation of cities and villages,'"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

Mr. Sanford, (by unanimous consent,) from the committee on judiciary, to which was referred Senate bill, No. 550, for "An act to amend an act entitled 'an act to remedy the evils consequent upon the destruction of any public records by fire or otherwise,' approved April 9, 1872," reported the same back and recommended it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Sanford, from the committee on judiciary, introduced Senate bill, No. 603, for "An act to amend an act entitled 'an act to remedy the evils consequent upon the destruction of any public records by fire, or otherwise,' approved April 9, 1872."

Which was ordered to a first reading, and,

On motion of Mr. Sanford,

The rules were suspended, the bill read at large a first time, and ordered to a second reading.

Mr. Baldwin, (by unanimous consent,) from the committee on education, to which was referred House bill, No. 810, for "An act to amend section 50 of an act entitled 'an act to establish and maintain a system of free schools,' approved April 1, 1872," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill was ordered on file for a second reading, and,

On motion of Mr. Baldwin,

The rules were suspended, and the bill was read at large a second time, and ordered on file to be considered by sections.

House bill, No. 522, for "An act to repeal an act entitled 'an act to establish a board of fire engineers and to reorganize the fire department in the city of Quincy,' approved February 16, 1865, and an act entitled 'an act to amend an act entitled an act to establish a board of fire engineers and to reorganize the fire department in the city of Quincy, Illinois,' approved February 18, 1867,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

House bill, No. 741, for "An act in relation to courts of record in cities,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," with amendments thereto.

In the adoption of which amendments I am instructed to ask the concurrence of the Senate.

A message from the Governor, by Philo J. Beveridge, Private Sec'y :

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, to-wit:

Senate bill, No. 476, for "An act to revise the law in relation to tender."

Senate bill, No. 316, for "An act to revise the law in relation to recorders."

House bill, No. 606, for "An act to revise the law in relation to attachments of boats, vessels and rafts."

Was taken up and read at large a second time.

On motion of Mr. Upton,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

And the question being, "Shall this bill be read a third time?" it was decided in the affirmative.

House bill, No. 603, for "An act to revise the law in relation to the department of agriculture, county agricultural boards, and agricultural fairs,"

Was taken up, read at large a second time and,

On motion of Mr. Upton,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

And the question being, "Shall this bill be read a third time?" it was decided in the affirmative.

House bill, No. 715, for "An act to amend the act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' approved March 29, A. D. 1872,"

Was taken up, read at large a first time, and ordered to a second reading, and,

On motion of Mr. Palmer,

Referred to the committee on fees and salaries.

House bill, No. 425, for "An act making an appropriation for the benefit of the State Board of Agriculture, and of county agricultural boards,"

Was taken up, read at large a first time, and ordered to a second reading, and,

On motion of Mr. Palmer,

Referred to the committee on agriculture and drainage.

Senate bill, No. 600, for "An act to provide for the publication of the Revised Statutes of the State,"

Was taken up, read at large a second time, and,

On motion of Mr. Hampton,

Referred to the committee on judiciary.

Senate bill, No. 595, for "An act to revise the law in relation to the Soldiers' Orphans' Home,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

Senate bill, No. 577, for "An act to amend sections 1, 2, 4, 7, 9 and 12, of an act entitled 'an act for the registry of electors and to prevent fraudulent voting,' approved February 15, 1865, and to repeal section 10 of said act,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

**The President presented the following communication :**

Mr. Hampton (by unanimous consent), from the committee on miscellany, to which was referred Senate bill, No. 594, for "An act relating to

surveyors," reported the same back and recommended that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Hampton (by unanimous consent), from the committee on miscellany, to which was referred Senate bill, No. 602, for "An act in relation to licensed surveyors," reported the same back with an amendment, and recommended its adoption, and that the bill as amended be passed.

The bill was ordered on file for a second reading.

Mr. Whiting (by unanimous consent) from the committee on canals and rivers, to which was referred Senate bill, No. 597, for "An act making an appropriation for repairing the lock gates on the Little Wabash river," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file to be considered by sections.

On motion of Mr. Whiting,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Whiting, from the committee on canals and rivers, to which was referred the following communication :

*Concurrent Resolution, in relation to the memorial of the Union Merchants' Exchange, of Saint Louis, concerning the Mississippi Valley.*

WHEREAS, a memorial from the Union Merchants' Exchange of Saint Louis, with accompanying appendices, setting forth the necessities of the people of the Mississippi Valley in respect to the transportation of their products and the improvement of their natural channels of communication, has been transmitted by the Governor to this body, for its consideration; and whereas, the complete and comprehensive view of facts therein contained conclusively proves that the improvement of the Mississippi river and its tributaries will go far toward solving the vexed question of transportation, affording to the people of different sections of our country the opportunity for inter-change of their products at less cost, and to the producers of the West especially a choice of markets and a better price for the fruits of their industry; and whereas, the measures therein advocated are in the highest degree national in character, and of peculiar importance not alone to the people of Missouri, but to the people of every State of the Valley of the Mississippi; therefore, be it

*Resolved by the Senate, the House of Representatives concurring therein: First*—That our Senators from this State be instructed and our Representatives in Congress be requested, to urge in the Congress of the United States the opening of the mouth of the Mississippi river, so that a clear channel of sufficient depth for the largest vessels of commerce may at all times be maintained; the immediate completion of works in progress at the Des Moines and Rock Island rapids; the removal of obstructions from the channel of the Mississippi river, according to the recommendations of the United States engineer in charge, so that a channel of not less than ten feet in depth may at all times be maintained before the mouth of the Missouri; and the improvement of the chief tributaries of the Mississippi, and of the upper portion of that river, so that the main channel may become accessible as a highway for commerce to the people of all the States of the Mississippi Valley; and the appropriation of such sums as may be necessary to carry forward, without delay, this great work of national importance.

*Second*—That a copy of these resolutions be transmitted by the Secretary of State to our Senators and Representatives in Congress, and to the presiding officers of the Legislatures of all other States in the Mississippi Valley, with the earnest request that they will concur with the Legislature of Missouri in urging the measures herein contemplated.

*Resolved, further*, That the Governor be instructed to empower such person as may be recommended by the central committee of the Union Merchants' Exchange of St. Louis to proceed as Commissioner, on behalf of this State, to invite the special attention of the Legislature of Illinois, Iowa, Kansas, Nebraska, Minnesota and Wisconsin to the necessity of the improvement of the Mississippi river and its tributaries, and to urge concurrent action with this Legislature in its recommendation upon this subject, before the adjournment of the present session of Congress; and that the actual expenses of said Commissioner, without salary, while employed in this mission, shall, by the State Treasurer, be refunded to him, upon his certificate of the amount with the approval of the Governor: *Provided*, that the sum so paid shall not exceed five hundred dollars.

APPROVED February 20, 1874.

Reported the same back, together with the following resolutions, and recommended the adoption of the same:

WHEREAS, Hon. John Early, President of the Senate, has laid before this body certain resolutions, certified to him by the Secretary of State of Missouri as having passed the General Assembly of that State, which resolutions read as follows:

"That our Senators from this State be instructed, and our Representatives in Congress requested, to urge in the Congress of the United States the opening of the mouth of the Mississippi river, so that a clear channel of sufficient depth for the largest vessels of commerce may at all times be maintained; the immediate completion of work in progress at the Des Moines and Rock Island Rapids; the removal of obstructions from the channel of the Mississippi river, according to the recommendations

of the United States engineer in charge, so that a channel of not less than ten feet in depth may at all times be maintained below the mouth of the Missouri, and the improvement of the chief tributaries of the Mississippi and of the upper portion of that river, so that the main channel may become accessible as highways of commerce to the people of all the States of the Mississippi valley, and the appropriation of such sums as may be necessary to carry forward, without delay, this great work of national importance."

And, whereas, the State of Missouri invites Illinois and other States to join her in her efforts; therefore,

*Resolved by the Senate of the State of Illinois, the House concurring therein,* That we freely concur with the spirit and the request of the above recited resolution of our sister State of Missouri, and that the Secretary of State transmit a copy of this to our Senators and Representatives in Congress from this State.

The question then being, "Shall the preamble and resolutions reported from the committee on canals and rivers be adopted?" it was decided in the affirmative.

Mr. Whiting (by unanimous consent), from the committee on canals and rivers, to which was referred Senate bill, No. 525, for "An act to repeal an act entitled 'an act granting certain privileges to parties resident along the line of the Illinois and Michigan canal,' approved March 27, 1869," reported the same back and recommended that it lie on the table.

The report of the committee was concurred in, and bill ordered to lie on the table.

Mr. Cummings (by unanimous consent) called up from the table House bill, No. 310, for "An act to provide for the sale of unclaimed property by common carriers, warehousemen and inn-keepers."

On motion of Mr. Cummings,

The bill was recommitted to the committee on revision.

Mr. Kehoe (by unanimous consent) called up, for consideration by sections, Senate bill, No. 565, for "An act to provide a fund for the relief of members of police and fire departments, in incorporated cities, wounded or disabled in the discharge of their duties, and for the relief of the surviving family of any member of said departments killed while on duty."

Sections 1, 2, 3, 4, 5 and 6 were adopted,

The question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 383, for "An act to revise the law in relation to divorce."

On motion of Mr. Upton,

Leave of absence was granted Mr. Archer.

Mr. Reynolds (by unanimous consent) called up from the table House bill, No. 17, for "An act to enable boards of underwriters incorporated by or under the laws of the State of Illinois to establish and maintain a fire patrol."

On motion of Mr. Reynolds,

The bill was ordered on file to be considered by sections.

On motion of Mr. Hinchcliffe,

The rules were suspended for the purpose of considering the order of bills on second reading by sections.

House bill, No. 716, for "An act providing for trial of rights of property in certain cases before the county court," was taken up for consideration by sections.

The question being, "Shall the Senate adopt the amendments reported from the committee on judiciary?" it was decided in the affirmative.

Sections 1, 2, 3, 4, 5 and 6 were adopted.

And the question being, "Shall this bill be read a third time?" it was decided in the affirmative, and

The amendments were ordered printed.

Senate bill, No. 556, for "An act to authorize the removal of the feeder dam across the Calumet river, near Blue Island, in Cook county, in the State of Illinois, and to provide compensation to Christian Pfeiffer and John Roll for any loss they may sustain by its removal," was taken up for consideration by sections.

On motion of Mr. Whiting,

The further consideration of the bill was postponed to and made the special order for Tuesday, March 10, A. D. 1874, at 10 o'clock A. M.

Senate bill, No. 561, for "An act to amend section 3 of an act entitled 'an act concerning corporations,' approved April 18, 1872, in force July 1, 1872," was taken up for consideration by sections.

Section 1 was adopted.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

House bill, No. 584, for "An act to amend section 255 of an act entitled 'an act for the assessment of property and for the levy and collection of taxes,' approved March 10, 1872," was taken up for consideration by sections, and,

On motion of Mr. Hampton,

Was ordered to lie on the table.

House bill, No. 788, for "An act to repeal an act entitled 'an act to vacate the plat of the western addition to Rock Island city and to restore the rights thereby divested,' " was taken up for consideration by sections, and,

On motion of Mr. Green,

Was referred to the committee on municipalities.

Senate bill, No. 339, for "An act making an appropriation for the completion of the Southern Normal University," was taken up for consideration by sections, and,

On motion of Mr. Ware,

Was ordered to lie on the table.

House bill, No. 514, for "An act to facilitate the settlement of accounts between counties, cities and towns and the State charitable institutions," was taken up for consideration by sections.

Section 1 was adopted.

Mr. Youngblood moved that the further consideration of the bill be indefinitely postponed; which motion was decided in the negative.

The question then being, "Shall the bill be read a third time?" it was decided in the affirmative.

Senate bill, No. 353, for "An act to repeal sections one and eleven of an act entitled 'an act providing for the health and safety of persons employed in coal mines,' approved March 27, 1872, and in force July 1, 1872," was taken up for consideration by sections, and,

On motion of Mr. Burke,

Was recommitted to the committee on mines and mining.

House bill, No. 410, for "An act to amend section one of an act entitled 'an act making appropriations for the payment of the indebtedness of the Soldiers' Orphans' Home,' " was taken up for consideration by sections.

Section 1 was adopted.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative.

Mr. Henry (by unanimous consent), from the committee on penal institutions, to which was referred House bill, No. 500, for "An act to amend section fourteen of an act entitled 'an act to provide for the management of the Illinois State Penitentiary at Joliet,'" reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

The bill was ordered on file, to be considered by sections.

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, to-wit:

House bill, No. 607, for "An act to revise the law in relation to attorneys general and State's attorneys."

House bill, No. 828, for "An act to amend an act entitled 'an act in regard to gateways, roads and bridges in counties not under township organization,' approved April 18th, 1873."

In the passage of which I am instructed to ask the concurrence of the Senate.

House bill, No. 719, for "An act to enable cities and villages to establish and regulate cemeteries," was taken up for consideration by sections.

Mr. Kehoe moved that the bill be referred to the committee on municipalities; which motion was decided in the negative.

Section 1 was adopted.

The question being, "Shall the bill be read a third time?" it was decided in the affirmative.

House bill, No. 480, for "An act to amend section 42 of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' approved March 29, 1872," was taken up for consideration by sections.

On motion of Mr. Cummings,

The bill was recommitted to the committee on fees and salaries.

Senate bill, No. 9, for "An act to organize district courts in the State of Illinois, composed of two or more counties, and to regulate the practice therein," was taken up for consideration by sections, and,

On motion of Mr. Hampton,

Was ordered to lie on the table.

Senate bill, No. 222, for "An act to amend sections one, two and three of an act entitled 'an act to establish a board of railroad and warehouse commissioners, and prescribe their powers and duties,' approved April 13th, A. D. 1871, in force July 1st, 1871," was taken up for consideration by sections, and,

On motion of Mr. Whiting,

Was ordered to lie on the table.

House bill, No. 654, for "An act to amend an act entitled 'an act for



the assessment of property and for the levy and collection of taxes,' approved March 30, 1872," was taken up for consideration by sections.

Section 1 was adopted.

The question being, "Shall the bill be read a third time?" it was decided in the affirmative.

House bill, No. 179, for "An act to provide for the qualification of State's attorneys," was taken up for consideration by sections.

Mr. Kehoe moved to recommit the bill to the committee on judiciary; which motion was decided in the negative.

On motion of Mr. Cummings,

The bill was order to lie on the table.

Mr. Ferrell (by unanimous consent) called up House bill, No. 607, for "An act in regard to attorneys general and State's attorneys."

Which was read at large a first time and ordered to a second reading, and,

On motion of Mr. Ferrell,

Referred to the committee on judiciary.

Mr. Ferrell (by unanimous consent) called up House bill, No. 828, for "An act to amend an act entitled 'an act in regard to gateways, roads and bridges in counties not under township organization.'"

Which was read at large a first time, ordered to a second reading, and

On motion of Mr. Ferrell,

Referred to the committee on roads, highways and bridges.

On motion of Mr. Ferrell,

The Senate, at 4:40 o'clock P. M., adjourned.

## TUESDAY, MARCH 10, 1874—10 O'clock A. M.

The Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Gill.

The journal of yesterday was being read, when,

On motion of Mr. Henry,

The further reading of the same was dispensed with.

Mr. Hinchcliff (by unanimous consent) called up Senate bill, No. 602, for "An act in relation to licensed surveyors."

Which was read at large a second time, and ordered on file to be considered by sections.

Mr. Sheldon presented a petition from citizens of Tolono, Champaign county, Illinois, praying for a modification of the present railroad law; which, on his motion, was referred to the committee on railroads.

Mr. Voris (by unanimous consent) presented a communication as his answer to the communication received from the Board of Railroad and Warehouse Commissioners, made on March 4th, 1874.

On motion of Mr. Whiting,

The communication was referred to the committee on railroads.

The President announced the time for the special order, being the consideration by sections of Senate bill, No. 556, for "An act to authorize the removal of the feeder dam across the Calumet river near Blue Island, in Cook county in the State of Illinois, and to provide compensation to Christian Pfeiffer and John Roll for any loss they may sustain by its removal."

The question being, "Shall the Senate adopt the amendment reported from the committee on appropriations?"

Mr. Reynolds moved that debate close on the pending amendment; which motion was decided in the negative.

Mr. Cummings offered the following amendment to the amendment:

In lines 15, 16 and 19, of committee's amendment, strike out the word "ten" and insert the word "six."

Mr. Reynolds moved that the further consideration of the bill and amendments be indefinitely postponed.

The question being, "Shall the further consideration of the bill and amendments be indefinitely postponed?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brown, Burke, Gundlach, Patterson, Reynolds, Starnes—6.

Those voting in the negative are,

Messrs. Archer, Baldwin, Castle, Cummings, Donahue, Dow, Ferrell, Glenn, Green, Hampton, Jacobs, Kehoe, Kelly, Lee, Nicholson, Palmer, Sanford, Shepard, Strong, Thompson, Waite, Ware, Warren, Whiting, Williamson, Youngblood, Mr. President—27.

The question being, "Shall the amendment to the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Castle, Cummings, Donahue, Ferrell, Glenn, Henry, Hinchcliffe, Kelly, Lee, Nicholson, Sanford, Ware, Warren, Youngblood—14.

Those voting in the negative are,

Messrs. Baldwin, Brown, Burke, Dow, Green, Gundlach, Jacobs, Kehoe, Palmer, Patterson, Reynolds, Shepard, Starnes, Strong, Waite, Williamson, Mr. President—17.

The question then being, "Shall the amendment reported from the committee on canals and rivers be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brown, Burke, Kehoe, Palmer, Patterson, Reynolds, Starnes, Waite, Williamson—9.

Those voting in the negative are,

Messrs. Baldwin, Castle, Cummings, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Kelly, Lee, Nicholson, Sanford, Shepard, Strong, Thompson, Upton, Ware, Warren, Whiting, Youngblood, Mr. President—37.

Mr. Reynolds moved that the bill be recommitted to the committee on canals and rivers; which motion was decided in the negative.

Sections 1, 2 and 3 were adopted.

And the question then being, "Shall this bill be engrossed and printed for a third reading?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative,

Messrs. Baldwin, Castle, Cummings, Donahue, Ferrell, Glenn, Green, Hampton, Hinchcliffe, Jacobs, Kelly, Lee, Nicholson, Palmer, Patterson, Reynolds, Sanford, Shepard, Strong, Thompson, Upton, Waite, Ware, Warren, Whiting, Williamson, Youngblood, Mr. President—28.

Those voting in the negative are,

Messrs. Brown, Burke, Gundlach, Henry, Kehoe, Starnes—6.

Mr. Cummings moved to reconsider the vote whereby the bill (Senate bill No. 556) was ordered engrossed and printed for a third reading.

On motion of Mr. Whiting,

The motion to reconsider the vote whereby the bill was ordered engrossed and printed for a third reading, was ordered to lie on the table.

Mr. Ware, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed:

Senate bill, No. 565, for "An act to provide a fund for the relief of members of police and fire departments in incorporated cities, wounded

or disabled in the discharge of their duties, and for the relief of the surviving family of any member of said departments killed while on duty."

Senate bill, No. 597, for "An act making an appropriation for repairing the lock-gates on the Little Wabash river."

Mr. Ware, from the joint committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and, on the 17th day of February, 1874, laid before the Governor for his approval, viz:

Senate bill, No. 383, for "An act to revise the law in relation to divorce."

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of bills of the following titles, to wit:

Senate bill, No. 348, for "An act to revise the law in relation to idiots, lunatics and spendthrifts."

Senate bill, No. 456, for "An act to revise the law in relation to injunctions."

Senate bill, No. 477, for "An act to revise the law in relation to toll bridges."

Senate bill, No. 481, for "An act to revise the law in relation to toll roads."

With amendments to each of said bills.

In the adoption of which amendments I am instructed to ask the concurrence of the Senate.

Senate bill, No. 560, for "An act to protect colored children in their rights to attend public schools," was taken up for consideration by sections.

The question being, "Shall the following amendment offered by Mr. Cummings be adopted?"

Strike out in lines 5 and 6, section 4, the words "on account of the color of such child."

It was decided in the negative.

Sections 1, 2 and 3 were adopted.

The question being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative.

A message from the Senate, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, to-wit:

House bill, No. 650, for "An act to revise the law in relation to plats."

House bill, No. 639, for "An act to revise the law in relation to fences."

In the passage of which I am instructed to ask the concurrence of the Senate.

Senate bill, No. 458, for "An act to revise the law in relation to licenses," was taken up for consideration.

The question being, "Shall the Senate adopt the amendments reported from the committee on miscellany?"

The amendments were ordered taken up *seriatim*.

The question being, "Shall the first amendment reported by the committee be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cummings, Cunningham, Ferroll, Hampton, Henry, Nicholson, Patterson, Sanford, Sheldon, Shepard, Stroug, Upton, Warren, Whiting, Williamson, Mr. President—18.

Those voting in the negative are,

Messrs. Brown, Burke, Donahue, Dow, Glenn, Green, Gundlach, Hundley, Jacobs, Kehoe, Kelly, Lee, Reynolds, Thompson, Walte—15.

The second and third amendments reported from the committee were adopted.

The question being, "Shall the fourth amendment reported from the committee be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cummings, Cunningham, Donahue, Green, Hampton, Henry, Jacobs, Nicholson, Patterson, Sanford, Shepard, Upton, Warren, Whiting, Mr. President—17.

Those voting in the negative are,

Messrs. Burke, Dow, Glenn, Gundlach, Hinchcliffe, Hundley, Kehoe, Kelly, Lee, Reynolds, Walte—11.

Mr. Sheldon offered the following amendment:

Strike out section 3.

Mr. Hampton offered the following amendment:

Amend section 3 by adding, "And provided, that no such license shall be granted by such board unless petitioned for by a majority of the legal voters of the township, election precinct or village where the dram-shop is to be located."

Pending the consideration of which,

On motion of Mr. Glenn,

The Senate, at 12:30 o'clock P. M., adjourned until 2:30 o'clock P. M.

## TWO-THIRTY O'CLOCK P. M.

The Senate met, pursuant to adjournment.

Mr. Reynolds, (by unanimous consent,) from the special committee appointed to investigate the affairs of the Soldiers' Orphans' Home, made the following report:

HON. JOHN EARLY, *President of the Senate*:

The committee, appointed by you in obedience to the following resolution, to-wit:

*Resolved*, That there be appointed a committee of three, to investigate the affairs of the Soldiers' Orphans' Home, especially why some sixty-five inmates are retained in the Home who are above the age of fourteen years, while many children, legally entitled to be admitted, are refused admission for want of accommodation; also, to examine into the financial management of the Home, especially the amounts paid for fuel, lights and salaries, and the items of miscellaneous and incidental expenses, and report to this Senate whether, in their opinion, there should be any change in the law relating to the age at which inmates should be discharged, and whether or not the Home is honestly, economically and efficiently managed.

Which resolution was adopted by the Senate on the 9th day of February, 1874, have the honor to report—

That they visited the Soldiers' Orphans' Home, at Normal, Saturday, February 21, and devoted that day and the following Monday to examining the affairs of that institution, as directed by the resolution.

The financial affairs of the Home were found to be as are set forth in the "Special Report of the Commissioners of Public Charities on the Financial Management and Condition of the State Institutions of Illinois," submitted to this General Assembly February 24, 1874.

The average cost per year for coal, since the introduction of the steam heating apparatus, is \$3,657 20. This includes fuel for heating the Home building, the school house, and for running the engine at the pumping works.

The expenditures for lights, for the year ending 31st December, 1873, were for—

444 gallons gasoline at 29 cents.....	\$1, 292 46
Petroleum fluid, lamps and brackets.....	29 45
Lamp post, burner, etc.....	25 00
Total.....	\$1, 346 91

The amount paid for salaries for the year 1871, was \$13,630 91, with an average attendance of 290; for the year 1872, the amount was \$14,462 70, with an average attendance of 290; and for the year 1873, the amount was \$12,232 80, with an average attendance of 302.

Under the head of "salaries" are included the amounts paid all officers and employees of the Home.

There were in the Home 307 children. Of this number, five were under the age of five years; 81 between five and ten years of age; 80 between ten and twelve; 99 between twelve and fourteen; and 42 between fourteen and sixteen. Of those over fourteen, 31 are girls, and 11 are boys.

Your committee inquired particularly into all the facts connected with the retention of each inmate beyond the age of fourteen years, and they believe that the trustees acted wisely in each case, and within the intent of the law, which provides that "in special cases of peculiar inability of a pupil to support himself or herself, the said board of trustees may retain such pupil, although above the age of fourteen years."

All the applications for admission to the Home that were rejected, were examined, and none were found rejected for want of accommodations, but all on the ground of not being entitled to be admitted under the law.

The amount paid for salaries was \$2,230 00 less for the year 1873 than for 1872, while the attendance for 1873 was considerably larger.

This saving in salaries was owing to the judicious employment of the inmates, above the age of fourteen years, in the general departments of the Home. The girls of sufficient strength are assigned to duty in the kitchen, dining-room, laundry and dormitories; and the boys do work on the farm and about the Home buildings. For the year 1874, there will be a still greater saving in salaries, from the same cause.

The school of the Home is an excellent one—equal to the graded schools in our cities. The educational facilities afforded the children are certainly all that could be asked for.

There is an imperative want of bedsteads, beds and bed-clothes for the children in the Home. During the past winter the dormitories were kept warm all night to keep the children from suffering from the cold. If there had been sufficient bed clothing, this would not have been necessary, and there would have been a large saving of coal. In several of the dormitories there are no bedsteads, and the beds are made up on the floors; and more than half the beds are without any pillows.

The committee strongly recommend the passage of Senate bill No. 552, for an appropriation of \$10,600 to purchase furniture, bedsteads and bedding for the children of the Home.

The changes recommended in the law governing the Home are embodied in the bill reported to the Senate from the committee, entitled

a bill for "An act to revise the law in relation to the Soldiers' Orphans' Home," and are:

- 1st. That the meetings of the Board of Trustees be held quarter-yearly, instead of monthly.
- 2d. That the meetings of the Board of Trustees be held at the Home.
- 3d. That the Board of Trustees consist of three members, and that the President and Secretary be selected from their number, and that the Treasurer be some person not a member of the Board of Trustees.
- 4th. That the Board of Trustees be authorized, in special cases, where they may think best, to retain a pupil—if a girl, till the age of eighteen years—if a boy, till the age of sixteen years.

Your committee take pleasure in expressing their belief that the affairs of the Home are honestly, economically and efficiently managed by the present officers.

All of which is respectfully submitted.

JOSEPH S. REYNOLDS,  
GEORGE P. JACOBS,  
WM. B. HUNDLEY.

On motion of Mr. Waite,

The report of the special committee to investigate the affairs of the Soldiers' Orphans' Home, was ordered printed.

Mr. Nicholson (by unanimous consent), from the committee on agriculture and drainage, to which was referred House bill, No. 425, for "An act making an appropriation for the benefit of the state board of agriculture and of county agricultural boards," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading.

Mr. Hinchcliffe (by unanimous consent) introduced Senate bill, No. 604, for "An act to amend section twelve of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' approved March 29, A. D. 1872."

Which was ordered to a first reading, and,

On motion of Mr. Hinchcliffe,

Referred to the committee on fees and salaries.

Mr. Dow (by unanimous consent) introduced Senate bill, No. 605, for "An act to provide for the transfer of the dockets and papers of justices of the peace and police magistrates in certain cases."

Which was ordered to a first reading, and,

On motion of Mr. Dow,

The rules were suspended, and the bill was read at large a first time, and ordered to a second reading and referred to the committee on judiciary.

The consideration of Senate bill, No. 458, for "An act to revise the law in relation to licenses," which was pending at the time of the last adjournment, by sections, was resumed.

Mr. Hampton withdrew the amendment offered by him to the bill this morning, and offered the following in lieu thereof:

Amend section 3 by inserting after the word "requires," in line 2, the following:

"Upon the application, by petition, of a majority of the legal voters of the town, if the county is under township organization, and if not under township organization, then of a majority of the legal voters of the election precinct or district where the same is proposed to be located, and."

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Cummings, Cunningham, Ferrell, Glenn, Green, Hampton, Henry, Jacobs, Patterson, Sheldon, Shepard, Strong, Upton, Voria, Warren, Whiting, Mr. President—18.

Those voting in the negative are,

Messrs. Burke, Dow, Gundlach, Hinchcliffe, Hundley, Kehoe, Kelly, Reynolds, Sanford, Sterne, Waite, Williamson—12.

The question then being, "Shall the amendment offered by Mr. Sheldon be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Donahue, Jacobs, Patterson, Sheldon, Shepard, Strong—6.

Those voting in the negative are,

Messrs. Baldwin, Burke, Castle, Cummings, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Kehoe, Lee, Reynolds, Sterne, Upton, Waite, Ware, Warren, Whiting, Williamson—24.

Mr. Sanford offered the following amendment:

Amend section 7, in line 6, by striking out the word "or," and inserting "and."

The question being, "Shall this amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cummings, Cunningham, Donahue, Glenn, Green, Hampton, Henry, Jacobs, Nicholson, Patterson, Sanford, Sheldon, Shepard, Strong, Upton, Whiting, Mr. President—19.

Those voting in the negative are,

Messrs. Burke, Dow, Ferrell, Gundlach, Hinchcliffe, Hundley, Kehoe, Kelly, Lee, Reynolds, Sterne, Voria, Waite, Warren, Williamson—15.

The question then being, "Shall the bill be engrossed and printed for a third reading?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cummings, Cunningham, Ferrell, Green, Hampton, Henry, Hundley, Jacobs, Nicholson, Patterson, Sanford, Sheldon, Shepard, Strong, Upton, Whiting, Williamson, Mr. President—20.

Those voting in the negative are,

Messrs. Burke, Donahue, Dow, Glenn, Gundlach, Hinchcliffe, Kehoe, Lee, Reynolds, Sterne, Waite, Ware, Warren—13.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, viz:

Senate bill, No. 383, for "An act to revise the law in relation to divorce."

Mr. Williamson entered a motion to reconsider the vote whereby Senate bill, No. 458, for "An act to revise the law in relation to licenses," was ordered engrossed and printed for a third reading.

Senate bill, No. 579, for "An act to amend section 15 of an act entitled 'an act to regulate public warehouses, and the warehousing and

inspection of grain, and to give effect to article thirteen of the constitution of this State,' approved April 25, 1871," in the order of pending questions, was taken up for consideration.

The pending question being, "Shall the bill be engrossed and printed for a third reading?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Dow, Hundley, Reynolds, Waite, Williamson—5.

Those voting in the negative are,

Messrs. Baldwin, Burke, Castle, Cummings, Cunningham, Donahue, Ferrell, Glenn, Green, Hampton, Hinchcliffe, Kehoe, Kelly, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Starne, Strong, Ware, Whiting, Mr. President—24.

Mr. Cummings entered a motion to reconsider the vote whereby the Senate refused to order Senate bill, No. 579, for "An act to amend section 15 of an act entitled 'an act to regulate public warehouses and the warehousing and inspection of grain, and to give effect to article 13 of the constitution of this State,' approved April 25, 1871," to be engrossed and printed for a third reading.

Senate bill, No. 206, for "An act in regard to boards of health in counties having a population of more than two hundred thousand inhabitants," was taken up for consideration by sections, and,

On motion of Mr. Williamson,

Was ordered to lie on the table.

Senate bill, No. 371, for "An act to authorize county boards to regulate and control and dispose of pauper children," was taken up for consideration by sections, and,

On motion of Mr. Waite,

Was referred to the committee on revision.

Senate bill, No. 566, for "An act to provide for the election of a State Board of Commissioners of Public Charities, and to prescribe their duties," was taken up for consideration by sections, and,

On motion of Mr. Glenn,

Was ordered to lie on the table.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of bills of the following titles, to-wit:

Senate bill, No. 462, for "An act to revise the law in relation to oil inspection."

Senate bill, No. 460, for "An act to revise the law in relation to ne exeat."

Senate bill, No. 461, for "An act to revise the law in relation to official bonds."

Senate bill, No. 284, for "An act to amend section 80 of 'an act to establish and maintain a system of free schools,' approved April 1, 1872," was taken up for consideration by sections.

Mr. Hampton offered the following amendment, which was lost:

Amend section 1, line 43, by inserting after the word "to" the words "examine and."

Section 1 was adopted.

The question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

House bill, No. 735, for "An act to amend section 40 of an act entitled



'an act in regard to practice in courts of record,' approved February 22, 1872," was taken up for consideration by sections.

Section 1 was adopted.

And the question being, "Shall this bill be read a third time?" it was decided in the affirmative.

Senate bill, No. 505, for "An act to amend an act entitled 'an act to organize and regulate the business of life insurance,' " was taken up for consideration by sections.

Section 1 was adopted.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

House bill, No. 806, for "An act to amend section 6 of 'an act to authorize cities, incorporated towns, and townships to establish and maintain free public libraries and reading rooms,' approved March 7, 1872," was taken up for consideration by sections.

Section 1 was adopted.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative.

Mr. Strong (by unanimous consent), from the committee on printing, introduced Senate bill, No. 606, for "An act to provide for the compiling, publication, and distribution of the statutes of the State."

Which was ordered to a first reading, and,

On motion of Mr Strong,

The rules were suspended, and the bill was read at large a first time and ordered to a second reading, and,

On motion of Mr. Hampton,

Was ordered printed.

Mr. Cummings (by unanimous consent) called up Senate bill, No. 592, for "An act to amend section 12 of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' approved March 29, 1872," for consideration by sections.

Section 1 was adopted.

Mr. Cunningham offered the following amendment, which was adopted:

Amend by striking out section 2.

The question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

House bill, No. 859, for "An act to amend section 14 of an act entitled 'an act concerning jurors and to repeal certain acts herein named,' approved February 11, 1874," was taken up for consideration by sections.

Sections 1 and 2 were adopted.

And the question being, "Shall the bill be read a third time?" it was decided in the affirmative, and,

On motion of Mr. Waite,

It was made the special order for Wednesday, March 11, 1874, at 10:30 o'clock A. M.

House bill, No. 522, for "An act to repeal an act entitled 'an act to establish a board of fire engineers and to reorganize the fire department in the city of Quincy,' approved February 16, 1865, and an act entitled 'an act to amend an act entitled 'an act to establish a board of fire engineers, and to reorganize the fire department in the city of Quincy, Illinois,' approved February 18, 1867," was taken up for consideration by sections.

Section 1 was adopted.

The question being, "Shall the bill be read a third time?" it was decided in the affirmative.

Mr. Voris, at 4:45 o'clock P. M., moved that the Senate adjourn; which motion was decided in the negative.

On motion of Mr. Kelly,

The rules were suspended, and House bill, No. 522, for "An act to repeal an act entitled 'an act to establish a board of fire engineers and to reorganize the fire department in the city of Quincy,' approved February 16, 1865, and an act entitled 'an act to amend an act entitled 'an act to establish a board of fire engineers, and to reorganize the fire department in the city of Quincy, Illinois,' approved February 18, 1867," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 31, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Burke, Castle, Cummings, Cunningham, Donahue, Dow, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, Kelly, Nicholson, Patterson, Reynolds, Sheldon, Shepard, Sterne, Strung, Voris, Walte, Ware, Warren, Whiting, Youngblood, Mr. President—31.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of bills of the following titles, to-wit :

Senate bill, No. 471, for "An act to revise the law in relation to slander and libel."

Senate bill, No. 479, for "An act to revise the law in relation to universities, colleges, academies, and other institutions of learning."

Senate bill, No. 459, for "An act to revise the law in relation to mines."

Senate bill, No 359, for "An act to revise the law in regard to estrays," with amendments thereto.

In the adoption of which I am instructed to ask the concurrence of the Senate.

On motion of Mr. Cummings,

The Senate, at 4:57 o'clock P. M., adjourned.

WEDNESDAY, MARCH 11, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Gill.

The journal of yesterday was being read, when,

On motion of Mr. Nicholson,

The further reading of the same was dispensed with.

Mr. Nicholson (by unanimous consent), from the committee on agriculture and drainage, to which was referred Senate bill, No. 449, for "An act to revise the law in relation to permitting animals to run at large," reported the same back with an amendment, and recommended its adoption, and that the bill as amended be passed.

The report of the committee was concurred in, and the amendments adopted.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Sanford (by unanimous consent), from the committee on judiciary, to which was referred House bill, No. 607, for "An act in regard to attorneys general and State's attorneys," reported the same back, and recommended its passage.

The report of the committee was concurred in, and the bill was ordered on file for a second reading.

Mr. Baldwin (by unanimous consent), from the committee on education, to which was referred Senate bill, No. 582, for "An act to provide for a more equitable distribution of school moneys," reported the same back, and recommended that it do not pass.

On motion of Mr. Ferrell,

The bill was referred to the committee on judiciary.

Mr. Upton (by unanimous consent) called up for consideration Senate bill, No. 483, for "An act to repeal certain acts therein named."

Mr. Whiting offered the following amendment, which was adopted:

Amend by striking out lines 1690 and 1691, section 1.

Mr. Kehoe offered the following amendment, which was adopted:

Amend by striking out, on page 36, line 1147, "An act making eight hours a legal day's work," approved March 6, 1867.

Mr. Cummings offered the following amendment, which was adopted:

Amend by striking out, on page 52, lines 1698 and 1699.

Mr. Kehoe offered the following amendment:

Amend by adding, on page 50, after line 1624, the words "An act to fund and provide for paying the railroad debts of counties, townships, cities and towns," in force April 16, 1869.

The question being, "Shall this amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Burke, Dow, Green, Kehoe, McGrath, Patterson, Reynolds, Sanford, Upton, Waite, Williamson—11.

Those voting in the negative are,

Messrs. Baldwin, Brown, Cummings, Cusey, Donahue, Ferrell, Glenn, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kelly, Lee, Nicholson, Palmer, Sheldon, Shepard, Starns, Strong, Voris, Ware, Warren, Whiting, Wilcox, Yager, Youngblood—47.

Mr. Kehoe offered the following amendment :

Amend by striking out, on page 51, lines 1660 and 1661.

The question being, "Shall the amendment be adopted ?" and the yeas and nays being demanded, it was decided in the negative by the following vote :

Those voting in the affirmative are,

Messrs. Burke, Dow, Henry, Jacobs, Kehoe, Reynolds, Starnes, Waite, Youngblood—9.

Those voting in the negative are,

Messrs. Baldwin, Cummings, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Hinchcliffe, Hundley, Kelly, McGrath, Nicholson, Palmer, Patterson, Sanford, Sheldon, Strong, Thompson, Upton, Ware, Warren, Whiting, Wilcox, Williamson—26.

Mr. Youngblood offered the following amendment, which was lost :

Amend by adding to section 1, after line 1741, the following : "An act in regard to the assessment of property and the levy and collection of taxes by incorporated cities in this State," approved April 15, 1873.

Mr. Kelly offered the following amendment, which was adopted :

Strike out lines 1736 and 1737, on page 54.

Mr. Henry offered the following amendment :

Amend by striking out line 1666, page 51.

The question being, "Shall this amendment be adopted ?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Castle, Cunningham, Cusey, Henry, Hundley, Kehoe, Kelly, Lee, Nicholson, Palmer, Sanford, Sheldon, Shepard, Thompson, Waite, Ware, Whiting, Williamson—18.

Those voting in the negative are,

Messrs. Brown, Burke, Cummings, Donahue, Dow, Glenn, Green, Gundlach, Jacobs, Patterson, Reynolds, Starnes, Upton, Voris, Warren, Wilcox—16.

Mr. Kehoe offered the following amendment, which was adopted :

Amend, on page 41, by striking out lines 1322 and 1323.

Mr. Ware offered the following amendment :

Amend by striking out lines 1759, 1760, 1761 and 1762.

On motion of Mr. Cummings,

The previous question was ordered.

The question being, "Shall the amendment offered by Mr. Ware be adopted ?" it was decided in the affirmative.

The question then being, "Shall the bill be engrossed and printed for a third reading ?" it was decided in the affirmative.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed :

Senate bill, No. 505, for "An act to amend an act entitled 'an act to organize and regulate the business of life insurance.'"

Senate bill, No. 556, for "An act to authorize the removal of the feeder dam across the Calumet river, near Blue Island, in Cook county, in the State of Illinois, and to provide compensation to Christian Pfeiffer and John Roll, for any loss they may sustain by its removal."

Senate bill, No. 560, for "An act to protect colored children in their rights to attend public schools."

Senate bill, No. 561, for "An act to amend section 3 of 'an act concerning corporations,' approved April 18, 1872, in force July 1, 1872."

Senate bill, No. 592, for "An act to amend section 12 of 'an act fixing fees and salaries.'"

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, to-wit:

House bill, No. 259, for "An act to simplify the forms of pleading."

House bill, No. 860, for "An act concerning the decisions and publication of the reports of the supreme court."

In the passage of which I am instructed to ask the concurrence of the Senate.

The President announced the time for the special order, being the consideration of House bill, No. 859, for "An act to amend section 14 of an act entitled 'an act concerning jurors, and to repeal certain acts therein named,' approved February 11, 1874;" which, having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 36, nays 4.

Those voting in the affirmative are,

Messrs. Baldwin, Burke, Castle, Cummings, Cunningham, Cusey, Donahue, Ferrell, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kelly, Lee, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Strong, Thompson, Upton, Voris, Waite, Ware, Warren, Whiting, Wilcox, Williamson, Youngblood, Mr. President—36.

Those voting in the negative are,

Messrs. Brown, Kehoe, McGrath, Sterne—4.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and having received a vote of two-thirds of the members elected, was declared passed.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Upton (by unanimous consent) called up for consideration by sections, Senate bill, No. 315, for "An act to revise the law in relation to mortgages of real and personal property."

The pending question being, "Shall the Senate adopt the amendments reported from the committee on revision?" it was decided in the affirmative.

On motion of Mr. Cummings,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

And the question then being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Upton (by unanimous consent) called up for consideration, House message on Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence."

The question being, "Will the Senate concur with the House of Representatives in the adoption of their amendments to the bill?"

On motion of Mr. Hampton,

The further consideration of the bill and message were postponed to and made the special order for to-day, at 3 o'clock P. M.

Mr. Castle (by unanimous consent) called up for consideration, Senate bill, No. 455, for "An act to revise the law in relation to husband and wife."

Mr. Dow moved to recommit the bill to the joint committee on revision.

The question being, "Shall the bill be recommitted to the joint committee on revision?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Burke, Dow, Ferrell, Gundlach, Hampton, Hinchcliffe, Jacobs, Kelly, Nicholson, Palmer, Reynolds, Sheldon, Strong, Thompson, Waite, Whiting, Wilcox, Williamson, Youngblood—20.

Those voting in the negative are,

Messrs. Brown, Castle, Cummings, Cunningham, Donahue, Glenn, Green, Henry, Hundley, Kehoe, Sanford, Shepard, Starne, Ware, Warren, Mr. President—16.

Mr. Hinchcliffe (by unanimous consent) called up for consideration, House bill, No. 562, for "An act to enable towns and villages in this State having commons to dispose of the same," which, having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 7.

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Burke, Castle, Cunningham, Cusey, Donahue, Dow, Glenn, Green, Gundlach, Henry, Hinchcliffe, Hundley, Kehoe, Kelly, Lee, Reynolds, Sanford, Sheldon, Starne, Strong, Thompson, Upton, Waite, Warren, Whiting, Wilcox, Youngblood—29.

Those voting in the negative are,

Messrs. Cummings, Ferrell, Hampton, Jacobs, Ware, Williamson, Mr. President—7.

Mr. Sanford offered the following amendment, which was adopted:

Amend the title by inserting after the word "in," the words "counties in," and insert after the word "having," the words "more than forty thousand inhabitants according to the last Federal census having."

Ordered that the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Leave of absence was granted Mr. Hinchcliffe, on his own request.

Mr. Brown (by unanimous consent) introduced Senate bill, No. 607, for "An act to provide for the safety of passengers on railway cars, and to prevent injury to railway cars and locomotives."

Which was ordered to a first reading, and,

On motion of Mr. Brown,

Referred to the committee on judiciary.

On motion of Mr. Henry,

The Senate, at 12:35 o'clock P. M., adjourned until 2:30 o'clock P. M.

#### TWO-THIRTY O'CLOCK, P. M.

Senate met, pursuant to adjournment.

The President presented a communication from the Commissioners of Printing in relation to the claim of A. Paine against the State.

On motion of Mr. Starne,

The communication was referred to the committee on appropriations.

Mr. Hampton (by unanimous consent), from the committee on miscellany, to which was referred House bill, No. 390, for "An act to amend section 14 of the act entitled 'an act in regard to judgments and decrees, and the manner of enforcing the same by execution, and to provide for the redemption of real estate sold under execution or decree,' in force July 1, 1872," reported the same back with an amendment, and recommended its adoption, and that the bill as amended be passed.

And the bill was ordered on file for a second reading.

The President announced the time for the consideration of the special order, being the preamble and resolutions offered by Mr. Casey, Febru-

ary 4, 1874, and the report of the committee on federal relations made on the same, in relation to the Kansas Pacific and Union Pacific railroads.

Mr. Burke moved to postpone the further consideration of the special order until Tuesday, March 17, 1874, at 2:30 o'clock P. M.

Mr. Hampton moved that the further consideration of the preamble and resolutions and report be indefinitely postponed.

On motion of Mr. Henry,

The main question was ordered.

The question being, "Shall the preamble and resolutions and report be indefinitely postponed?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Castle, Cunningham, Dow, Ferrell, Green, Gundlach, Hampton, Henry, Jacobs, Nicholson, Patterson, Reynolds, Sheldon, Shepard, Starne, Upton, Wilcox, Yager—20.

Those voting in the negative are,

Messrs. Burke, Cummings, Cusey, Donahue, Glenn, Hinchcliffe, Kelly, Lee, McGrath, Palmer, Strong, Voris, Waite, Whiting, Williamson, Youngblood—16.

Mr. Starne entered a motion to reconsider the vote whereby the preamble, resolutions and report above referred to were indefinitely postponed.

Mr. Cummings (by unanimous consent), from the committee on counties and township organization, to which was referred House bill, No. 623, for "An act to revise the law in relation to counties," reported the same back with amendments, recommended their adoption, and that the bill as amended be passed.

And the bill was ordered on file for a second reading and ordered to be printed.

Senate bill, No. 522, for "An act authorizing the Trustees of the State Reform School to lease the labor of the inmates," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 29, nays 8.

Those voting in the affirmative are,

Messrs. Baldwin, Burke, Castle, Cummings, Cunningham, Cusey, Dow, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kelly, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Shepard, Strong, Upton, Voris, Waite, Whiting, Williamson, Yager, Mr. President—29.

Those voting in the negative are,

Messrs. Brown, Donahue, Kehoe, Lee, Starne, Wilcox, Youngblood—8.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and not having received a vote of two-thirds of the members elected, was declared lost as an emergency act, and

The President declared the vote whereby the bill was lost as an emergency act reconsidered.

Mr. Yager offered the following amendment:

Amend by striking out the emergency clause, (section 2.)

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Burke, Castle, Cummings, Cunningham, Cusey, Dow, Glenn, Green, Gundlach, Henry, Hinchcliffe, Hundley, Jacobs, Kelly, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Shepard, Strong, Thompson, Upton, Waite, Whiting, Williamson, Yager, Mr. President—29.

Those voting in the negative are,

Messrs. Donahue, Kehoe, Lee, Starne, Voris, Wilcox, Youngblood—7.

The President, at 3 o'clock P. M., announced the time for the special order, being the consideration of Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," and the amendment of the House Representatives thereto.

On motion of Mr Hinchcliffe,

The special order was postponed until the pending bill shall be disposed of.

Mr. Donahue moved to recommit the bill to the committee on reformatory institutions, with instructions to strike out "six hours" and insert "four hours;" which motion was decided in the negative.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 31, nays 8.

Those voting in the affirmative are,

Messrs. Baldwin, Burke, Castle, Cunningham, Cusey, Dow, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kelly, McGrath, Nicholson, Patterson, Reynolds, Sanford, Sheldon, Shepard, Strong, Thompson, Upton, Voria, Waite, Whiting, Williamson, Yager, Mr. President—31.

Those voting in the negative are,

Messrs. Brown, Cummings, Donahue, Ferrell, Kehoe, Starnes, Wilcox, Youngblood—8.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Yager presented a petition from citizens of Madison county, praying for the repeal of certain laws relating to revenue; which, on his motion, was referred to the committee on revenue.

Mr. Wilcox (by unanimous consent) made the following reports:

*To the Honorable the Senate:*

Your committee on state charitable and educational institutions, to whom was referred the following executive message, nominating H. G. Whitlock, of Jacksonville, Morgan county, Illinois, to be a Trustee of the Illinois Hospital for the Insane, having had the same under consideration, instructs their chairman to report the same back, with the recommendation that the Senate do advise and consent to the nomination so made.

E. A. WILCOX, *Chairman.*

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, February 17, 1874.

*To the Honorable the Senate:*

I have the honor to nominate and (by and with the advice and consent of the Senate) to appoint Herbert G. Whitlock, of Jacksonville, Morgan county, Illinois, to be a Trustee of the Illinois Hospital for the Insane, *vice* J. B. Turner, not confirmed.

JOHN L. BEVERIDGE,  
*Governor.*

And the question being, "Does the Senate advise and consent to the nomination just made?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cunningham, Cusey, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Strong, Thompson, Upton, Waite, Whiting, Wilcox, Williamson, Yager, Mr. President—29.

Those voting in the negative are,

Messrs. Brown, Donahue, Hundley, Kehoe, Lee, McGrath, Starnes, Youngblood—8.

Mr. Wilcox (by unanimous consent) made the following report:

*To the Honorable the Senate:*

Your committee on state charitable and educational institutions, to whom was referred the executive message nominating Robert Boal, of



Peoria, Peoria county, Illinois, to be Trustee of the Illinois Institution for the education of the Deaf and Dumb, at Jacksonville, having had the same under consideration, instruct their chairman to report the same back with the recommendation that the Senate do not advise and consent to the nomination so made.

E. A. WILCOX, *Chairman.*

And the question then being, "Does the Senate advise and consent to the nomination just made?"—viz: of Robert Boal, of Peoria, Peoria county, Illinois, as Trustee of the Illinois Institution for the education of the Deaf and Dumb—it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brown, Castle, Cummings, Cusey, Dow, Ferrell, Glenn, Gundlach, Hinchcliffe, Handley, Kehoe, Lee, McGrath, Nicholson, Palmer, Sanford, Sheldon, Upton, Ware, Warren, Wilcox, Williamson, Youngblood, Mr. President—24.

Those voting in the negative are,

Messrs. Baldwin, Cunningham, Donahue, Green, Hampton, Henry, Jacobs, Kelly, Patterson, Reynolds, Shepard, Strong, Thompson, Waite, Whiting, Yager—16.

A majority of the members elected not voting in the affirmative.

Mr. Hampton moved to reconsider the vote whereby the Senate refused to advise and consent to the nomination of Robert Boal as Trustee of Illinois Institution for the education of the Deaf and Dumb, and to lay the motion to reconsider on the table.

And the question being, "Shall the motion to reconsider lie on the table?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Donahue, Hampton, Kelly, Reynolds, Strong, Thompson, Whiting—7.

Those voting in the negative are,

Messrs. Baldwin, Brown, Castle, Cummings, Cusey, Dow, Ferrell, Glenn, Green, Gundlach, Hinchcliffe, Handley, Kehoe, Lee, McGrath, Nicholson, Palmer, Sanford, Sheldon, Shepard, Starne, Upton, Waite, Warren, Wilcox, Williamson, Yager, Youngblood, Mr. President—28.

On motion of Mr. Cummings,

The further consideration of the motion to reconsider the vote whereby the Senate refused to advise and consent to the nomination of Robert Boal as Trustee of the Illinois Institution for the education of the Deaf and Dumb, was postponed to and made the special order for Thursday, March 12, A. D. 1874, at 10:30 o'clock A. M.

The executive message received from the Governor on February 28th, A. D. 1874, transmitting the nominations of notaries public, was taken up.

The question being, "Does the Senate advise and consent to the nominations just made?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cunningham, Cusey, Donahue, Dow, Green, Gundlach, Henry, Hinchcliffe, Jacobs, Kehoe, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Shepard, Strong, Thompson, Upton, Waite, Warren, Whiting, Wilcox, Williamson, Yager Mr. President—29.

Mr. Brown voted in the negative.

The President announced the time for the consideration of the special order, being House message on Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence."

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of their amendments to the bill?"

The amendments were ordered taken up *seriatim*.

The Senate concurred with the House of Representatives in the adoption of their amendment to section 7, 5th line, inserting after the word "adulterated" the words "or shall sell any flesh of any diseased animal," by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Castle, Cummings, Cunningham, Cusey, Donahue, Dow, Glenn, Green, Gundlach, Hampton, Henry, Hundley, Jacobs, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Reynolda, Sanford, Sheldon, Shepard, Starne, Thompson, Waite, Ware, Warren, Whiting, Williamson, Yager, Youngblood, Mr. President—35.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, inserting in line 5, of section 50, after the word "or" the word "cruelly," by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cummings, Cunningham, Donahue, Glenn, Gundlach, Hampton, Henry, Hundley, Jacobs, Kelly, McGrath, Nicholson, Palmer, Patterson, Sheldon, Shepard, Starne, Strong, Thompson, Ware, Whiting, Williamson, Yager, Youngblood, Mr. President—26.

Those voting in the negative are,

Messrs. Cusey, Dow, Green, Kehoe—4.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, inserting after the word "fighting," in the 4th line of section 56, the words "or whoever shall carry concealed weapons, or in a threatening manner display any pistol; knife, slung-shot, brass, steel or iron knuckles, or other deadly weapon, day or night," by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Castle, Cummings, Cunningham, Cusey, Donahue, Glenn, Green, Hampton, Henry, Hundley, Kelly, McGrath, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Starne, Strong, Upton, Waite, Ware, Warren, Whiting, Wilcox, Yager, Mr. President—30.

Those voting in the negative are,

Messrs. Dow, Jacobs, Kehoe, Patterson—4.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, adding to the last line of section 57 the following: "And whoever shall lease to another any house, room or other premises, in whole or in part, for any of the uses or purposes finable under this section, or knowingly permits the same to be so used or occupied, shall be fined not exceeding two hundred dollars, and the house or premises so leased, occupied or used shall be held liable for and may be sold for any judgment obtained under this section; but if such building or premises belongs to a minor, or other person under guardianship, then the guardian or conservator and his property shall be liable instead of such ward, and his property shall be subject to be sold for the payment of said judgment," by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cunningham, Cusey, Dow, Glenn, Green, Gundlach, Hampton, Henry, Jacobs, Kelly, McGrath, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Starne, Strong, Thompson, Upton, Waite, Ware, Whiting, Williamson, Yager, Youngblood, Mr. President—30.

Those voting in the negative are,

Messrs. Hundley, Kehoe, Warren—3.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, inserting in line 5, section 57, after the word "lessee," the words "or keeper," by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cunningham, Cusey, Donahue, Dow, Glenn, Green, Gundlach, Hampton, Henry, Jacobs, Kelly, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Shepard, Strong, Thompson, Upton, Ware, Warren, Whiting, Wilcox, Williamson, Yager, Youngblood, Mr. President—31.

Messrs. Burke and Kehoe voted in the negative.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, inserting after the word "lewdness," in line 2, of section 57, the words "or whoever patronizes the same," by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cummings, Cunningham, Cusey, Dow, Glenn, Green, Gundlach, Hampton, Henry, Hundley, Jacobs, Kelly, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Shepard, Sterne, Thompson, Upton, Waite, Ware, Warren, Whiting, Wilcox, Williamson, Yager, Youngblood, Mr. President—33.

Messrs. Burke and Kehoe voted in the negative.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, striking out of line 2, section 57, the word "rents," and inserting the word "lets," by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cummings, Cunningham, Cusey, Donahue, Dow, Glenn, Green, Hampton, Henry, Hundley, Jacobs, Kelly, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Sterne, Strong, Thompson, Upton, Waite, Ware, Warren, Whiting, Yager, Youngblood, Mr. President—31.

Messrs. Burke and Kehoe voted in the negative.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, inserting in section 81, line 3, after the word "State," the words "master-in-chancery, commissioner, or other officer of any court," by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Castle, Cunningham, Cusey, Donahue, Dow, Glenn, Green, Gundlach, Hampton, Henry, Hundley, Jacobs, Kelly, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Shepard, Sterne, Strong, Thompson, Upton, Ware, Warren, Whiting, Wilcox, Williamson, Yager, Youngblood, Mr. President—34.

Mr. Kehoe voted in the negative.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, inserting in section 129, line 3, after the word "gambling," the words "or prostitution," by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Castle, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hundley, Jacobs, Kelly, McGrath, Nicholson, Palmer, Patterson, Sheldon, Shepard, Sterne, Strong, Thompson, Upton, Ware, Warren, Whiting, Wilcox, Williamson, Mr. President—39.

Pending the consideration of the remaining amendments,

On motion of Mr. Hampton,

Their further consideration was postponed until Thursday, March 12, 1874, at 10 o'clock, A. M.

Mr. Upton (by unanimous consent), from the joint committee on revision, to which was referred Senate bill, No. 455, for "An act to revise the law in relation to husband and wife," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

On motion of Mr. Brown,

The amendments were ordered printed, and the bill ordered on file in the order of pending questions.

On motion of Mr. Brown,

The Senate, at 5:47 o'clock P. M., adjourned.

THURSDAY, MARCH 12, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Gill.

The journal of yesterday was being read, when,

On motion of Mr. Cummings,

The further reading of the same was dispensed with.

Mr. Patterson (by unanimous consent) introduced Senate bill, No. 608, for "An act to amend section ninety-two of 'an act for the assessment of property and for the levy and collection of taxes.'"

Which was ordered to a first reading.

The President announced the time for the special order, being the consideration of the amendments of the House of Representatives to Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," which were not acted upon yesterday.

The Senate concurred with the House of Representatives in the adoption of their amendment to section 208, inserting after the word "duty," in line 3, the following: "Or who shall be guilty of diverting any public money from the use or purpose for which it may have been appropriated or set apart by or under authority of law, or who shall be guilty of contracting directly or indirectly for the expenditure of a greater sum or amount of money than may have been, at the time of making the contracts, appropriated or set apart by law or authorized by law to be contracted for or expended upon the subject matter of the contracts," by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Castle, Cummings, Cunningham, Cusey, Dow, Ferrell, Green, Henry, Hinchcliffe, Kelly, Lee, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Sterne, Strong, Thompson, Upton, Voris, Ware, Warren, Williamson, Youngblood, Mr. President—29.

Messrs. Kehoe and Sanford voted in the negative.

The Senate refused to concur with the House of Representatives in the adoption of their amendment, striking out of section 208 the words "two hundred" and inserting the words "ten thousand," by the following vote:

Those voting in the affirmative are,

Messrs. Burke, Castle, Dow, Ferrell, Henry, Jacobs, Kelly, Nicholson, Palmer, Patterson, Reynolds, Sanford, Strong, Thompson, Upton, Voris, Warren, Yager, Youngblood—19.

Those voting in the negative are,

Messrs. Brown, Cummings, Cusey, Glenn, Green, Gundlach, Hampton, Hinchcliffe, Kehoe, Lee, Ware, Whiting, Mr. President—13.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, inserting between sections 209 and 210, the following new section: "§ —. Every person who procures for, furnishes or conveys to any prisoner confined in any jail or city prison, intoxicating or spirituous liquors, shall, upon conviction thereof, for each offense, be fined not exceeding fifty dollars, or imprisoned in the county jail not exceeding thirty days, or both, in the discretion of the court; which fine may be recovered in an action of debt in the name of the People of the State of Illinois, before any justice of the peace of the county where said offense shall have been committed. All

finest collected under the provisions of this section shall be paid into the common school fund of the proper county," by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Castle, Cummings, Cunningham, Cusey, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kelly, Lee, Nicholson, Palmer, Patterson, Reynolds, Sanford, Shepard, Starne, Strong, Thompson, Voris, Warren, Whiting, Yager, Youngblood, Mr. President—32.

Messrs. Dow and Kehoe voted in the negative.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, striking out of line 5, section 220, the word "or," and inserting a comma, and adding to the end of same line the words "street or public highway," by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Cummings, Cusey, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kelly, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Starne, Strong, Upton, Ware, Warren, Whiting, Williamson, Yager, Youngblood, Mr. President—32.

Mr. Kehoe voted in the negative.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, inserting in line 17, section 220, after the word "town," the words "or within fifty rods of any occupied dwelling house," by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Castle, Cummings, Cunningham, Cusey, Donahue, Ferrell, Glenn, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kelly, Lee, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starne, Strong, Upton, Ware, Warren, Williamson, Yager, Youngblood, Mr. President—34.

Mr. Kehoe voted in the negative.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, adding to section 220 the following : "Provided, that nothing in this section contained shall be construed to prevent the municipal authorities of any incorporated city, town or village from declaring what shall be nuisances and abating the same within their limits," by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Castle, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, Kelly, Lee, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Strong, Thompson, Upton, Ware, Warren, Whiting, Williamson, Yager, Youngblood, Mr. President—37.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, inserting the word "prize" before the word "fight," in line 2 of section 231, by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Kelly, Nicholson, Palmer, Patterson, Reynolds, Sanford, Shepard, Steele, Strong, Upton, Warren, Whiting, Williamson, Youngblood, Mr. President—29.

Those voting in the negative are,

Messrs. Green, Kehoe, Ware—3.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, inserting in line 3, of section 265, after the word "tree," the word "vine," by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Cummings, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kelly, Nicholson, Palmer, Patterson, Reynolds, Sanford, Shepard, Starne, Steele, Strong, Upton, Voris, Ware, Warren, Whiting, Youngblood, Mr. President—32.

Mr. Kehoe voted in the negative.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, inserting in line 1, section 266, after

the word "whatever," the words "without authority of law," by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cummings, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchliffe, Hundley, Jacobs, Nicholson, Palmer, Patterson, Reynolds, Sanford, Shepard, Sterne, Steele, Strong, Upton, Voria, Ware, Warren, Whiting, Williamson, Yager, Youngblood, Mr. President—32.

Messrs. Brooks and Kelly voted in the negative.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, striking out, in line 4, section 266, the word "five," and inserting the word "two," by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cummings, Cunningham, Cusey, Donahue, Ferrell, Glenn, Gundlach, Hampton, Henry, Hinchliffe, Hundley, Jacobs, Kehoe, Kelly, Nicholson, Palmer, Patterson, Reynolds, Sanford, Shepard, Steele, Strong, Upton, Voria, Ware, Warren, Whiting, Williamson, Yager, Mr. President—32.

Those voting in the negative are,

Messrs. Green, Sterne, Youngblood—3.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, inserting after the word "law" (as amended) in line 1, section 266, the words "and not being the owner or agent of adjoining lands," by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Cummings, Cunningham, Cusey, Donahue, Ferrell, Glenn, Henry, Hinchliffe, Jacobs, Kelly, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Sterne, Steele, Strong, Upton, Ware, Warren, Williamson, Yager, Youngblood, Mr. President—28.

Messrs. Green and Kehoe voted in the negative.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, striking out, in section 13, line 3, division 3, the word "judgment," and inserting the word "default," by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Castle, Cummings, Cunningham, Cusey, Ferrell, Green, Hampton, Hinchliffe, Hundley, Kelly, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Strong, Upton, Voria, Waite, Warren, Williamson, Yager, Youngblood—26.

Those voting in the negative are,

Messrs. Brown, Donahue, Dow, Gundlach, Henry, Jacobs, Nicholson, Ware, Whiting—9.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, striking out, in division 3, sections 13, 14, 15, 16, 17 and 18, where they occur in the division, and inserting the same after section 10, in the same division, and renumbering the sections to conform to such change, by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Castle, Cummings, Cunningham, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchliffe, Jacobs, Kelly, Lee, Nicholson, Patterson, Reynolds, Sheldon, Strong, Upton, Voria, Ware, Warren, Whiting, Williamson, Mr. President—28.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, adding to division 10 the following new section:

"§ 11. *Offenses against railroads and water crafts.*—When any offense is committed in or upon any railroad car passing over any railroad in this State, or any water craft navigating any of the waters within this State, and it cannot readily be determined in what county the offense was committed, the offense may be charged to have been committed and the offender tried in any of the counties through or along or into which such railroad car or water craft may pass or come, or can reasonably be determined to have been, on or near the day when the offense was committed,"—by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Castle, Cummings, Cunningham, Donahue, Ferrell, Glenn, Green, Gundlach, Henry, Hinchcliffe, Hundley, Jacobs, Kelly, Lee, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Strong, Thompson, Upton, Voris, Warren, Whiting, Williamson, Youngblood, Mr. President—34.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, striking out of section 3, division 1, all after the word "murder," in line 6, by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cummings, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Hampton, Henry, Hundley, Kehoe, Kelly, Nicholson, Palmer, Patterson, Reynolds, Shepard, Strong, Voris, Warren, Whiting, Williamson, Youngblood, Mr. President—26.

Mr. Starne voted in the negative.

The Senate refused to concur with the House of Representatives in the adoption of their amendment to the bill, striking out in section 11, line 3, division 14, the words "robbery, burglary and arson," and inserting the word "or" after the word "manslaughter," by the following vote:

Those voting in the affirmative are,

Messrs. Castle, Hinchcliffe, Hundley, Jacobs, Nicholson, Patterson, Reynolds, Shepard, Voris, Ware, Warren, Williamson—12.

Those voting in the negative are,

Messrs. Cummings, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Kelly, Palmer, Sheldon, Strong, Upton, Mr. President—15.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, adding in section 46, after the word "justice," in line 5, the following words: "or to prevent competition in the letting of any contract by the State, or the authorities of any county, city, town or village, or to induce any person not to enter into such competition", by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Castle, Cummings, Cunningham, Cusey, Dow, Ferrell, Glenn, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starne, Strong, Upton, Ware, Warren, Whiting, Williamson, Mr. President—31.

Mr. Youngblood voted in the negative.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, inserting in section 1, division 14, after the word "pronounced," in line 4, the following: "Provided, the day set shall not occur before the tenth day of the term of the supreme court occurring (in either of the grand divisions) next after the pronouncing of the judgment and," by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Castle, Cummings, Cusey, Dow, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kelly, Nicholson, Palmer, Sanford, Sheldon, Shepard, Strong, Upton, Waite, Ware, Warren, Whiting, Williamson, Youngblood, Mr. President—29.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, inserting after the word "knowingly," in section 101, line 1, the words "buy or," by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cummings, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kelly, Nicholson, Palmer, Patterson, Reynolds, Sanford, Shepard, Steele, Strong, Upton, Waite, Ware, Warren, Whiting, Williamson, Mr. President—30.

The Senate concurred with the House of Representatives in the adoption of their amendments to the bill, striking out the "proviso," in section 207, by the following vote:

Messrs. Baldwin, Brooks, Cummings, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Palmer, Sanford, Strong, Upton, Waite, Ware, Whiting, Wilcox, Williamson, Mr. President—27.

Those voting in the negative are,

Kelly, Nicholson, Patterson, Starne—4.

The Senate concurred with the House of Representatives in the adoption of their amendment to the bill, amending lines 4 and 5, section 1, division 9, by changing the words "two hundred and sixty-eight and two hundred and sixty-nine," so that the same will refer to the proper sections as they may be renumbered in enrolling the bill and renumbering the sections, by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Sanford, Sheldon, Starne, Strong, Upton, Waite, Ware, Warren, Whiting, Wilcox, Williamson, Youngblood, Mr. President—36.

The Senate refused to concur with the House of Representatives in the adoption of their amendment to the bill, inserting between sections 240 and 241, a new section, as follows: "§ —. If any person shall purchase, or receive for sale from any other person, any link, pin, bearing, journal or other article of iron, brass or other metal, which has been manufactured and is used exclusively for railroad purposes, and which shall have stamped thereon the name of some railroad company or the initial letter thereof, without the consent in writing of the president, general manager or general superintendent of such railroad company, such person shall be fined in a sum not less than \$100 nor more than \$500, and be imprisoned not less than ten days nor more than ninety," by the following vote:

Those voting in the affirmative are,

Messrs. Castle, Glenn, Kehoe, Lee, McGrath, Nicholson, Reynolds, Sheldon, Starne, Strong, Voris, Waite, Ware, Whiting, Williamson, Youngblood—16.

Those voting in the negative are,

Messrs. Brooks, Cummings, Cusey, Donahue, Dow, Ferrell, Green, Gundlach, Hampton, Hundley, Jacobs, Kelly, Palmer, Patterson, Sanford, Shepard, Steele, Warren, Mr. President—19.

The President, at 11 o'clock A. M., announced the time for the special order, being the consideration of the motion entered by Mr. Dow, on Thursday, February 19, 1874, to reconsider the vote whereby the Senate adopted, on February 19, 1874, the resolution offered by Mr. Casey, on Feb. 12, 1874, requesting the Governor to nominate five Commissioners for the Southern Illinois Penitentiary, as provided by the act of the Legislature approved February 23, 1867.

On motion of Mr. Waite,

The further consideration of the special order was postponed until the pending bill shall be disposed of.

Mr. Ferrell moved to reconsider the vote whereby the Senate refused to concur with the House of Representatives in the adoption of the following amendment to the bill:

Strike out of section 208 the words "two hundred," and insert the words "ten thousand."

The question being, "Shall the vote whereby the Senate refused to concur with the House of Representatives in the adoption of the amendment to the bill, be reconsidered?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Castle, Cunningham, Cusey, Donahue, Ferrell, Green, Hinchcliffe, Jacobs, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starne, Strong, Upton, Voris, Waite, Ware, Whiting, Williamson, Youngblood, Mr. President—33.

Those voting in the negative are,

Messrs. Cummings, Glenn, Gundlach, Hampton, Henry, Hundley, Kehoe, Steele, Warren—9.



The question being, "Shall the Senate concur with the House of Representatives in the adoption of this amendment to the bill?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Burke, Castle, Cummings, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starna, Steele, Strong, Upton, Voria, Waite, Warren, Williamson, Youngblood, Mr. President—37.

Mr. Brooks voted in the negative.

Mr. Waite moved to reconsider the vote whereby the Senate concurred with the House of Representatives in the adoption of the following amendment to the bill:

Amend section 7, 5th line, by inserting after the word "adulterated," the words "or shall sell any flesh of any diseased animal."

The question being, "Shall the vote whereby the Senate concurred with the House of Representatives in the adoption of the amendment to the bill, be reconsidered?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Burke, Castle, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, McGrath, Palmer, Patterson, Reynolds, Sheldon, Steele, Strong, Upton, Voria, Waite, Ware, Warren, Whiting, Youngblood, Mr. President—33.

Mr. Nicholson voted in the negative.

Mr. Upton offered the following amendment to the amendment of the House of Representatives, which was adopted:

Amend the House amendment to division 1, section 7, line 5, by inserting after the word "sells," in line 2 of said amendment, the words "or offers to sell or keeps for sale;" and, also, by adding to said House amendment the following words, "or other corrupt or unwholesome provision."

On motion of Mr. Cummings,

The further consideration of the amendments of the House of Representatives to Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," was postponed to and made the special order for Friday, March 13, A. D. 1874, at 10:30 o'clock A. M.

Ordered that the amendment offered by Mr. Upton be printed.

The President announced the time for the consideration of the special order, being the motion entered by Mr. Dow, on February 19, 1874, to reconsider the vote whereby the Senate adopted, on February 19, 1874, the resolution offered by Mr. Casey, on February 12, 1874, requesting the Governor to appoint five Commissioners for the Illinois Southern Penitentiary, as provided by the act of the Legislature approved February 28, 1867.

Mr. Henry moved to postpone the further consideration of the special order until Friday, March 20, 1874, at 11 o'clock A. M.

The question being, "Shall the special order be so postponed?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Brown, Burke, Cunningham, Ferrell, Glenn, Henry, Hinchcliffe, Hundley, Kehoe, Lee, McGrath, Starna, Voria, Ware, Youngblood—16.

Those voting in the negative are,

Messrs. Baldwin, Castle, Cummings, Cusey, Green, Gundlach, Hampton, Hinchcliffe, Jacobs, Kelly, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Strong, Thompson, Waite, Warren, Whiting, Williamson—23.

Mr. Burke, at 11:55 o'clock A. M., moved to adjourn.

And the question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Hinchcliffe, Youngblood—3.

Those voting in the negative are,

Messrs. Baldwin, Brown, Castle, Cummings, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Strong, Thompson, Voris, Warren, Williamson—31.

The question being, "Shall the vote whereby the resolution was adopted be reconsidered?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cummings, Cusey, Donahue, Green, Hampton, Jacobs, Kelly, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Strong, Thompson, Waite, Warren, Whiting, Wilcox, Williamson—24.

Those voting in the negative are,

Messrs. Brooks, Brown, Burke, Cunningham, Ferrell, Glenn, Gundlach, Henry, Hinchcliffe, Hundley, Kehoe, Lee, McGrath, Starnes, Voris, Ware, Youngblood—17.

Mr. Whiting moved that the further consideration of the resolution be indefinitely postponed.

Mr. Reynolds moved that the main question be now put.

The question being, "Shall the main question be ordered?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cummings, Cusey, Green, Hampton, Jacobs, Kelly, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Strong, Thompson, Upton, Waite, Warren, Whiting, Wilcox, Williamson—23.

Those voting in the negative are,

Messrs. Brooks, Brown, Burke, Cunningham, Donahue, Ferrell, Glenn, Gundlach, Hinchcliffe, Hundley, Kehoe, Lee, McGrath, Starnes, Voris, Ware, Yager, Youngblood—18.

The question then being, "Shall the further consideration of the resolution be indefinitely postponed?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cummings, Cusey, Green, Hampton, Jacobs, Kelly, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Strong, Thompson, Upton, Waite, Warren, Whiting, Wilcox, Williamson—23.

Those voting in the negative are,

Messrs. Brooks, Brown, Burke, Cunningham, Donahue, Ferrell, Glenn, Gundlach, Henry, Hinchcliffe, Hundley, Kehoe, Lee, McGrath, Starnes, Steele, Voris, Ware, Youngblood—19.

The President announced, as the special order, the consideration of the motion made by Mr. Hampton on March 12, 1874, to reconsider the vote whereby the Senate refused to advise and consent to the nomination of Robert Boal, of Peoria, Illinois, as a Trustee of the Illinois Institution for the education of the Deaf and Dumb.

The question being, "Shall the vote whereby the Senate refused to advise and consent to the said nomination, be reconsidered?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Brown, Burke, Castle, Cummings, Cunningham, Cusey, Dow, Ferrell, Glenn, Green, Henry, Hinchcliffe, Hundley, Kehoe, Lee, McGrath, Palmer, Sanford, Sheldon, Starnes, Steele, Upton, Waite, Ware, Warren, Williamson, Yager, Youngblood, Mr. President—30.

Those voting in the negative are,

Messrs. Baldwin, Donahue, Hampton, Jacobs, Kelly, Nicholson, Patterson, Reynolds, Strong, Thompson, Whiting—11.

On motion of Mr. Castle,

The previous question was ordered.

The question being, "Does the Senate advise and consent to the nomination just made?" it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Brown, Burke, Castle, Cummings, Cusey, Dow, Ferrell, Glenn, Hinchcliffe, Hundley, Kehoe, Lee, McGrath, Palmer, Sanford, Sheldon, Steele, Upton, Ware, Warren, Wilcox, Youngblood—23.

Those voting in the negative are,

Messrs. Baldwin, Cunningham, Donahue, Green, Hampton, Jacobs, Kelly, Nicholson, Patterson, Reynolds, Shepard, Strong, Thompson, Waite, Whiting—15.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and on the 12th day of March, 1874, laid before the Governor for his approval, viz:

House bill, No. 859, for "An act to amend section 14 of an act entitled 'an act concerning jurors, and to repeal certain acts herein named,' approved February 11, 1874."

On motion of Mr. Glenn,

The Senate, at 12:30 o'clock P. M., adjourned until 2:30 o'clock P. M.

## TWO-THIRTY O'CLOCK P. M.

Senate met, pursuant to adjournment.

Senate bill, No. 94, for "An act to prevent appeals from the judgments of justices of the peace in certain cases," having been printed, was read at large a third time.

On motion of Mr. Sheldon,

The previous question was ordered.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 8, nays 24.

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cunningham, Cusey, Green, McGrath, Nicholson, Whiting—8.

Those voting in the negative are,

Messrs. Brooks, Brown, Burke, Cummings, Donahue, Ferrell, Glenn, Hampton, Henry, Jacobs, Kehoe, Kelly, Lee, Reynolds, Sanford, Sheldon, Shepard, Steele, Strong, Thompson, Waite, Warren, Yager, Youngblood—24.

So the bill was declared lost.

Senate bill, No. 563, for "An act to investigate the alleged overflow of lands by the dam on the Illinois river at Henry," having been printed, was read at large a third time.

Mr. Reynolds moved to recommit the bill to the committee on appropriations.

On motion of Mr. Nicholson,

The previous question was ordered.

The question then being, "Shall the bill be recommitted to the committee on appropriations?" it was decided in the negative.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 13, nays 23.

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Green, Henry, Jacobs, Kehoe, McGrath, Sanford, Shepard, Steele, Strong, Whiting, Wilcox—13.

Those voting in the negative are,

Messrs. Brooks, Brown, Burke, Cummings, Cunningham, Cusey, Dow, Ferrell, Glenn, Gundlach, Hampton, Kelly, Lee, Nicholson, Palmer, Reynolds, Sheldon, Starne, Voris, Ware, Warren, Yager, Youngblood—23.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and, on the twelfth day of March, 1874, laid before the Governor for his approval, viz:

Senate bill, No. 460, for "An act to revise the law in relation to *ne exeat*."

Senate bill, No. 462, for "An act to revise the law in relation to oil inspection."

A message from the Governor, by Philo J. Beveridge, Private Sec'y:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, to-wit:

Senate bill, No. 460, for "An act to revise the law in relation to *ne exeat*."

Senate bill, No. 562, for "An act to revise the law in relation to oil inspection."

House bill, No. 859, for "An act to amend section fourteen (14) of an act entitled 'an act concerning jurors, and to repeal certain acts herein named,' approved February 11, 1874."

Senate bill, No. 184, for "An act to prevent cruelty in contests of skill or for wager," was taken up for a third reading, and,

On motion of Mr. Nicholson,

Ordered indefinitely postponed.

Senate bill, No. 576, for "An act to amend sections 59 and 62 of 'an act in regard to roads and bridges in counties under township organization,' approved April 11, 1873," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 36, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Castle, Cummings, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Jacobs, Kehoe, Kelly, Lee, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Starne, Steele, Strong, Voris, Warren, Whiting, Wilcox, Williamson, Yager, Youngblood, Mr. President—36.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 489, for "An act in relation to the office of chancellor in universities of learning," having been printed, was read at large a third time.

On motion of Mr. Henry,

The previous question was ordered.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 28, nays 11.

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Burke, Castle, Cummings, Cunningham, Cusey, Dow, Glenn, Green, Gundlach, Henry, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Sheldon, Starne, Voris, Waite, Ware, Warren, Whiting, Williamson, Youngblood—28.

Those voting in the negative are,

Messrs. Donahue, Ferrell, Hampton, Hundley, Jacobs, Reynolds, Sanford, Shepard, Strong, Wilcox, Yager—11.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and not having received a vote of two-thirds of the members elected, was declared lost as an emergency act.

Under the rules, the President declared the vote whereby the bill was lost, as an emergency act, reconsidered.

Mr. Dow offered the following amendment, which was adopted:

Strike out section 2 (emergency clause).

And the question then being, "Shall this bill pass?" it was decided in the affirmative—yeas 27, nays 9.

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Burke, Castle, Cummings, Cunningham, Dow, Glenn, Green, Gundlach, Henry, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Sheldon, Starne, Voria, Walte, Warren, Whiting, Williamson, Yager, Youngblood—27.

Those voting in the negative are,

Messrs. Ferrell, Hampton, Hundley, Jacobs, Reynolds, Sanford, Shepard, Strong, Wilcox—9.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Upton,

The rules were suspended, and messages from the House of Representatives were ordered taken up.

House message on Senate bill, No. 477, for "An act to revise the law in relation to toll bridges," was taken up for consideration.

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendment to the bill?"

Strike out section 10.

It was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cunningham, Green, Nicholson, Palmer, Patterson, Sanford, Shepard, Steele, Strong, Upton, Whiting, Williamson, Yager, Mr. President—16.

Those voting in the negative are,

Messrs. Burke, Cummings, Cusey, Donahue, Glenn, Gundlach, Hampton, Henry, Hundley, Kehoe, Kelly, Lee, McGrath, Reynolds, Sheldon, Starne, Voria, Warren, Wilcox, Youngblood—16.

House message on Senate bill, No. 456, for "An act to revise the law in relation to injunction," was taken up for consideration.

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments to the bill?"

Amend by adding the following sections:

"§ 21. No appeal from a decree dissolving an injunction shall have the effect to continue in force the injunction unless the appeal is prayed at the time of the entering of such decree, and the court allowing the same shall so order, or unless the party praying the appeal shall, within ten days after the appeal is allowed, procure from the supreme court, if in session, or a judge thereof if in vacation, an order directing that the appeal shall have the effect to continue such injunction in force; and no such order shall be granted except for good cause appearing in the record, nor when the bill is dismissed by the complainant. The supreme court, or a judge thereof, may for good cause extend the time for procuring such order.

"§ 22. The court or judge granting the order for the continuance in force of any such injunction may require, as a condition of granting the same, such further bond and security, to be filed with the clerk of the supreme court, as may be deemed equitable.

"§ 23. When an application shall be made on a Sunday for a writ of injunction, and there shall be filed with the bill an affidavit of the complainant, or his, her or their agent or attorney, stating that the benefits of an injunction will be lost or endangered, or irremediable dam-

age occasioned unless such writ be immediately issued, and giving the reasons for such statement, then it shall be lawful for any officer who is authorized by the law of this State to grant writs of injunction, if it appears to him from such affidavit that the benefits of an injunction will be lost or endangered, or irremediable damage occasioned unless such writ be immediately issued, and if the complainant otherwise be entitled to such writ under the law, to grant a writ of injunction on a Sunday; and it shall be lawful for the clerk to issue, and for the sheriff or coroner to serve such writ of injunction on a Sunday as on any other day, and all affidavits and bonds made and proceedings had in such case shall have the same force and effect as if made or had on any other day."

It was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Castle, Cummings, Cusey, Glenn, Green, Gundlach, Henry, Kehoe, Aodly, Lee, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Shepard, Strong, Voria, Waite, Ware, Warren, Whiting, Williamson, Yager, Mr. President—29.

Messrs. Jacobs and Youngblood voted in the negative.

House message on Senate bill, No. 359, for "An act to revise the law in regard to estrays," was taken up for consideration.

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of their amendments?"

The amendments were ordered taken up *seriatim*.

The Senate concurred with the House of Representatives in the adoption of the following amendments to the bill:

Amend the first line of section 16, so as to read as follows: "If the estray is a horse, mule, ass or head of neat cattle," and strike out all between the word "expense," in the third line, and the word "or," in the sixth line.

Amend title by adding the following: "And other lost property."

—By the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Castle, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Henry, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Starke, Steele, Upton, Waite, Ware, Whiting, Wilcox, Williamson, Youngblood, Mr. President—33.

Those voting in the negative are,

Messrs. Burke, Cummings, Dow, Hampton, Hundley, Jacobs, Kehoe, Kelly, Strong, Warren, Yager—11.

The Senate concurred with the House of Representatives in the adoption of the following amendment to the bill:

Amend section 15 by adding thereto the following: "Provided, that when such estray is a horse, mule or ass, the county clerk shall also, within ten days after the filing of such certificate, cause such notice to be published at least once in a newspaper published at Springfield, to be designated by the Governor for the publication of such notices, and the publisher of such paper shall immediately on the publication of such notice forward to the county clerk of each county in this State, free of charge, a copy of the paper containing the same, and the several county clerks shall file and preserve such papers in their respective offices for the examination of all concerned. On the filing of the certificate mentioned in section 13 of this act, the taker-up shall deposit with the county clerk one dollar and seventy-five cents, which shall be forwarded to the publisher of said paper at Springfield, and shall be in

full for publishing such notice and forwarding such papers to said county clerks, with postage pre-paid."

—By the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Castle, Cunningham, Donahue, Ferrell, Green, Gundlach, Henry, Kelly, Lee, McGrath, Nicholson, Palmer, Reynolds, Sanford, Starnes, Voria, Ware, Whiting, Wilcox, Williamson, Youngblood, Mr. President—26.

Those voting in the negative are,

Messrs. Cummings, Glenn, Jacobs, Sheldon, Shepard, Strong, Thompson, Warren—8.

House message on Senate bill, No. 459, for "An act to revise the law in relation to liens," was taken up for consideration.

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments to the bill?"

1st. Amend section 1 as follows: Strike out in lines 7, 8 and 9, the words "or a place whereon to dump or deposit waste earth or tailings." And in lines 15, 16 and 17, strike out the words "or use such land for the purpose of dumping or depositing such waste earth or tailings upon." Also strike out of line 11 the words, "or such place of deposit," and add to the section the following: "And the commissioners of highways of any county under township organization, may, when the public good requires, cause to be laid out and opened public highways, or private roads or cartways, from any coal mine to a public highway or to a railway, as the public good may require, in the same way as now is or may hereafter be provided by law for the laying out and opening of public highways or private roads or cartways, and may permit the owner, lessee or operator of any coal mine to lay down and operate a horse or dummy railway thereon, or upon any highway or private road or cartway now or heretofore laid out and opened for public or public and private use, but always in such a manner and way, and upon such place thereon, as to not unnecessarily interfere with ordinary public travel."

2d. Amend section by inserting in line 11, before the words "suitable and competent person," the words "county surveyor or other."

3d. Add the following new section between sections 4 and 5:

"§—. Whoever shall willfully trespass upon the land of another by mining thereon, shall, in addition to the damages now authorized by law, be liable to a penalty of not exceeding one thousand dollars nor less than one hundred dollars, which may be recovered in an action of debt by the owner thereof, in any court of competent jurisdiction."

The amendments were ordered taken up *seriatim*.

The Senate concurred with the House of Representatives in the adoption of their amendments to section 1 of the bill, by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Hampton, Henry, Jacobs, Kelly, Lee, McGrath, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Starnes, Strong, Thompson, Upton, Warren, Whiting, Wilcox, Yager, Youngblood, Mr. President—30.

Mr. Brown voted in the negative.

The Senate refused to concur with the House of Representatives in the adoption of their amendment to section 11 of the bill, by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Cunningham, Cusey, Dow, Ferrell, Green, Jacobs, Lee, McGrath, Nicholson, Reynolds, Sanford, Strong, Thompson, Waite, Ware, Whiting, Wilcox, Williamson—19.

Those voting in the negative are,

Messrs. Brooks, Brown, Castle, Donahue, Glenn, Hampton, Kelly, Starne, Warren, Yager, Youngblood, Mr. President—12.

The Senate refused to concur with the House of Representatives in the adoption of their amendment adding a new section between sections 4 and 5 of the bill, by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Burke, Castle, Sanford, Strong, Thompson—6.

Those voting in the negative are,

Messrs. Brown, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Hampton, Henry, Jacobs, Kehoe, Kelly, McGrath, Nicholson, Palmer, Starne, Steele, Upton, Waite, Ware, Warren, Whiting, Wilcox, Youngblood, Mr. President—26.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and on the 12th day of February, 1874, laid before the Governor for his approval, viz:

House bill, No. 522, for "An act to repeal an act entitled 'an act to establish a board of fire engineers, and to reorganize the fire department in the city of Quincy,' approved February 16, 1865, and an act entitled 'an act to establish a board of fire engineers, and to reorganize the fire department in the city of Quincy, Illinois,' approved February 18, 1867."

Mr. McGrath, from committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly engrossed:

Senate bill, No. 449, for "An act to revise the law in relation to permitting animals to run at large."

Senate bill, No. 471, for "An act to revise the law in relation to slander and libel," was taken up for consideration.

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendment to the bill?"

Add to the end of section 3, "And it shall be competent for the defendant to establish the truth of the matter charged by a preponderance of testimony."

It was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Burke, Castle, Cummings, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Henry, Hundley, Lee, McGrath, Nicholson, Palmer, Sheldon, Steele, Upton, Ware, Warren, Whiting, Wilcox, Williamson, Youngblood, Mr. President—26.

Those voting in the negative are,

Messrs. Brown, Hampton, Jacobs, Kehoe, Sanford, Strong, Thompson, Yager—8.

House message on Senate bill, No. 479, for "An act to revise the law in relation to universities, colleges, academies and other institutions of learning," was taken up for consideration.

And the pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments to the bill?"

Strike out the proviso to section 1, and add section 4 as follows:

"§ 4. Any corporation which has been incorporated under any special law of this State for the purpose of establishing or conducting a university, college, academy or other institution of learning for the education of males or females, or both, may, by unanimous consent of the board of trustees or directors, become incorporated under the provisions of an act entitled "An act concerning corporations," approved



April 18, 1872, relative to corporations not for pecuniary profit, and when so organized under such general law shall be deemed and taken to have abandoned their organization under such special laws or charters, and such new corporation shall be entitled to and invested with all the real and personal estate of the old corporation, subject to all the debts, contracts and liabilities of such old corporation," it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Castle, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hundley, Jacobs, Lee, McGrath, Nicholson, Reynolds, Sanford, Sheldon, Strong, Thompson, Ware, Warren, Whiting, Wilcox, Williamson, Yager, Youngblood, Mr. President—34.

Mr. Kehoe voted in the negative.

House message on Senate bill, No. 481, for "An act to revise the law in relation to toll roads," was taken up for consideration.

And the pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments to the bill?"

Strike out section 12.

Strike out of section 13 the words "town or village."

Add to section 6 the following: "Provided, that in cases of plank roads only the width of eight feet of such road shall be required to be planked."

Insert after the word "county," where it occurs the second time in line 2, section 4, the words "and the consent of the commissioners of highways of the town."

Strike out of section 14 the words "falsely represent himself as being one of the classes exempt from toll."

On motion of Mr. Castle,

Debate on the pending amendment was ordered closed.

The amendments were ordered taken up *seriatim*.

The Senate refused to concur with the House of Representatives in their amendment striking out section 12 of the bill, by the following vote:

Those voting in the affirmative are,

Messrs. Green, Reynolds, Williamson—3.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Brown, Burke, Casey, Castle, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Gundlach, Hampton, Henry, Kelly, Lee, Nicholson, Palmer, Patterson, Sheldon, Sterne, Strong, Thompson, Upton, Warren, Whiting, Wilcox, Yager—28.

The Senate refused to concur with the House of Representatives in the adoption of their amendment to section 13 of the bill, by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Cusey, Jacobs, Nicholson, Patterson, Reynolds, Williamson—7.

Those voting in the negative are,

Messrs. Brooks, Burke, Castle, Cummings, Cunningham, Dow, Ferrell, Glenn, Green, Henry, Kehoe, Kelly, Palmer, Sheldon, Sterne, Thompson, Upton, Ware, Warren, Yager, Mr. President—21.

The Senate concurred with the House of Representatives in the adoption of their amendment to section 6 of the bill, by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cummings, Cunningham, Ferrell, Green, Gundlach, Hampton, Henry, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Sheldon, Steele, Upton, Ware, Warren, Whiting, Yager, Mr. President—27.

Those voting in the negative are,

Messrs. Brooks, Brown, Burke, Cusey, Donahue, Dow, Glenn, Sterne, Thompson, Williamson, Youngblood—11.

The Senate refused to concur with the House of Representatives in the adoption of their amendment to section 4 of the bill, by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Henry, Jacobs, Kelly, Nicholson, Palmer, Patterson, Sheldon, Thompson, Warren, Whiting, Wilcox, Mr. President—31.

Those voting in the negative are,

Messrs. Brown, Burke, Dow, Kehoe, McGrath, Starnes, Steele, Ware—8.

The Senate refused to concur with the House of Representatives in the adoption of their amendment to section 14 of the bill, by the following vote :

Messrs. Brooks and Sheldon voted in the affirmative.

Those voting in the negative are,

Messrs. Baldwin, Brown, Cummings, Cunningham, Cusey, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Sanford, Starnes, Steele, Thompson, Upton, Ware, Warren, Whiting, Wilcox, Williamson, Youngblood, Mr. President—31.

House message on Senate bill, No. 348, for "An act to revise the law in relation to idiots, lunatics and spendthrifts," was taken up for consideration.

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments to the bill?"

Amend the title by inserting the word "drunkards" after the word "lunatics."

Amend line 9, section 1, by inserting after the word "distracted" "a drunkard," and in line 10, of same section, before the words "or so spends," "or drunkard."

Amend line 3, section 14, by inserting between the words "person or" the word "drunkard."

Amend line 2, section 15, by inserting before the word "spendthrifts" "drunkards or."

Amend line 3, section 16, by inserting after "person" the word "drunkard."

Amend line 2, section 37, by striking out the word "of" between "case" and "such," and inserting the words "drunkard or" between "such" and "spendthrifts."

Amend line 2, section 43, by substituting the word "four" for "three," and in line 3 by substituting the word "forty" for "thirty."

It was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Castle, Cunningham, Cusey, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Thompson, Upton, Ware, Warren, Whiting, Wilcox, Youngblood, Mr. President—27.

Mr. Ferrell, at 5:20 o'clock P. M., moved that the Senate adjourn.

The question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Burke, Castle, Cummings, Cusey, Donahue, Gundlach, Jacobs, Kehoe, Kelly, Lee, Palmer, Patterson, Sheldon, Starnes, Ware, Wilcox, Youngblood, Mr. President—19.

Those voting in the negative are,

Messrs. Baldwin, Brown, Dow, Glenn, Green, Hampton, Nicholson, Reynolds, Steele, Thompson, Warren, Whiting—12.

FRIDAY, MARCH 13, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Gill.

The journal of yesterday was being read, when,

On motion of Mr. Glenn,

The further reading of the same was dispensed with.

Mr. Glenn (by unanimous consent), from the joint committee on state charitable institutions, introduced Senate bill, No. 609, for "An act to provide for the election and prescribe the duties of the Supervisor of State Institutions, and to revise the law in relation to the State charitable institutions."

Which was ordered to a first reading, and,

On motion of Mr. Glenn,

Ordered printed.

Mr. Upton (by unanimous consent) called up for consideration House message on Senate bill, No. 403, for "An act to revise the law in relation to liens."

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments to the bill?"

Amend section 1 by inserting after the word "implied," in the second line, the words "or partly expressed and partly implied."

Amend section 1 of printed bill, as follows, to-wit: "Strike out the words "or his agent," in the third line; also, insert after the word "materials," in the third line, the words "or services as an architect or superintendent;" also, strike out the word "or" in the seventh line, and add to the section, after the word "material," the words "or services."

Amend section 29 by adding the following, to-wit: "*Provided*, if it shall appear to the court that the owner and contractor fraudulently, and for the purpose of defrauding sub-contractors, fixed an unreasonably low price in their original contract for the erection or reparation of such building, then the court shall ascertain how much of a difference exists between a fair price for the labor or material used in said building or other improvements and the sum named in said original contracts. Said difference shall be considered a part of the contract, and be subject to a lien, but in no case shall the original contractor's time or profits be secured by this lien only so far as the sum named in the original contract or agreement."

Amend section 31 by striking out the word "thirty" wherever it occurs in the section, and inserting in lieu thereof the word "sixty;" also, add to the section the following, to-wit: "And whenever any suit shall be brought by any laborer or sub-contractor, or parties furnishing materials, the courts shall allow, if before a justice of the peace, five dollars, and in courts of record twenty dollars attorney fees, if judgment shall be given against the defendant, which fees shall be a part of the costs in the suit."

Amend section 45 by inserting after the word "owner," in line 9, the following, to-wit: "And damages, if any may be found to be occasioned the owner by reason of the non-fulfillment of the original contract."

And the Senate refused to concur by the following vote:

Mr. Brooks voted in the affirmative.

Those voting in the negative are,

Messrs. Baldwin, Brown, Burke, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Jacobs, Keloe, Lee, McGrath, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Starie, Strong, Waite, Warren, Whiting, Wilcox, Mr. President—30.

Mr. Lee (by unanimous consent) introduced Senate bill, No. 610, for "An act to regulate the practice of pharmacy and sale of poisons, and to prevent adulteration in drugs and medicinal preparations in the State of Illinois."

Which was ordered to a first reading, and,

On motion of Mr. Lee,

Was referred to the committee on judiciary and ordered printed.

Mr. Shepard, (by unanimous consent,) from the committee on appropriations, to which was referred Senate bill, No. 210, for "An act to encourage and provide for the re-publication of such volumes of the Illinois Reports as are out of print," reported the same back, and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Shepard, (by unanimous consent,) from the committee on appropriations, to which was referred Senate bill, No. 557, for "An act to empower the Auditor to draw his warrants for unexpended money heretofore appropriated to the Institution for the education of the Blind," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading.

Mr. Waite (by unanimous consent,) called up House bill, No. 719, for "An act to enable cities and villages to establish and regulate cemeteries," for consideration, and, on his motion, the bill was referred to the committee on corporations.

Mr. Dow, (by unanimous consent,) from the committee on fees and salaries, to which was referred House bill, No. 480, for "An act to amend section 42 of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

And the bill was ordered on file to be considered by sections, and the amendments ordered printed.

Mr. Dow, (by unanimous consent,) from the committee on fees and salaries, to which was referred House bill, No. 745, for "An act to amend the title of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix

the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' in force July 1, 1872," reported the same back, and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading.

Mr. Jacobs, from the committee on corporations, to which was referred House bill, No. 757, for "An act to amend section thirty-one (31) of 'an act concerning corporations,' in force July 1, 1872," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill was ordered on file to be considered by sections.

Mr. Wilcox presented a petition from citizens of Woodford county, Illinois, praying for a modification of the present railroad law; which, on his motion, was referred to the committee on railroads.

Mr. Brown (by unanimous consent) called up Senate bill, No. 586, for "An act to authorize boards of county commissioners in counties not under township organization to fix the salaries and compensation of county officers," for consideration, and, on his motion, the bill was ordered recommitted to the committee on judiciary.

Senate bill, No. 310, for "An act to insure the better professional education of practitioners of dental surgery in the State of Illinois," having been printed, was read at large a third time, and,

On motion of Mr. Reynolds,

Ordered to lie on the table.

The President, at 10:30 o'clock A. M., announced the time for the special order, being the consideration of House message on Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence."

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of their amendments to section 7 of the bill as amended by the Senate?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Castle, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Gleun, Green, Gundlach, Hampton, Henry, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starnes, Strong, Thompson, Upton, Voria, Walte, Warren, Whiting, Wilcox, Williamson, Mr. President—39.

Ordered that the Secretary inform the House of Representatives of the action of the Senate on their amendments, and ask their concurrence therein.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and on the 13th day of March, 1874, laid before the Governor for his approval, to-wit:

Senate bill, No. 461, for "An act to revise the law in relation to official bonds."

Senate bill, No. 537, for "An act to provide for the payment of the registered indebtedness of counties," having been printed, was read at large a third time.

On motion of Mr. Cummings,

The previous question was ordered.

The question then being, "Shall this bill pass?" it was decided in the affirmative by the following vote—yeas 26, nays 11.

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Cummings, Cusey, Donahue, Ferrell, Glenn, Hampton, Henry, Hundley, Jacobs, Kelly, Lee, Nicholson, Palmer, Sheldon, Shepard, Starne, Steele, Strong, Voris, Ware, Warren, Whiting, Wilcox, Youngblood—26.

Those voting in the negative are,

Messrs. Brooks, Burke, Castle, Green, Kehoe, Patterson, Reynolda, Sanford, Thompson, Waite, Williamson—11.

Mr. Palmer moved that the vote whereby Senate bill, No. 537, for "An act to provide for the payment of the registered indebtedness of counties, townships, cities and towns," was passed be reconsidered, and that the motion to reconsider lie on the table.

The question then being, "Shall the motion to reconsider the vote whereby this bill was passed be reconsidered?" it was decided in the affirmative.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed :

Senate bill, No. 284, for "An act to amend section 80 of 'an act to establish and maintain a system of free schools,' approved April 1, 1872."

On motion of Mr. Sheldon,

The Senate, at 12:15 o'clock P. M., adjourned until 2:30 o'clock P. M.

## TWO-THIRTY O'CLOCK P. M.

The Senate met, pursuant to adjournment.

Senate bill, No. 588, for "An act to provide the manner of proposing amendments to the constitution, and submitting the same to the electors of this State," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 0.

Those voting in the affirmative are,

Messrs. Brooks, Burke, Castle, Cummings, Cunningham, Cusey, Ferrell, Gundlach, Hampton, Jacobs, Kehoe, Kelly, McGrath, Nicholson, Palmer, Patterson, Reynolda, Sanford, Sheldon, Shepard, Starne, Strong, Thompson, Waite, Ware, Warren, Whiting, Youngblood, Mr. President—29.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the adoption of their amendment to a bill of the following title, to-wit :

House bill, No. 562, for "An act to enable towns and villages in this State having commons to dispose of the same."

Senate bill, No. 592, for "An act to amend section 12 of an act entitled 'an act to fix the salaries of State officers ; of the judges of the circuit courts and superior court of Cook county ; of the State's attorneys ; of the judges and prosecuting attorneys of inferior courts in cities and towns ; of the county officers of Cook county ; to regulate the fees of the Secretary of State, and of the clerks of the supreme court ; to classify the counties according to population, and fix the scale of fees for county officers in each class ; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the

peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' in force July 1, A. D. 1872," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 16, nays 11.

Those voting in the affirmative are,

Messrs. Cunningham, Cusey, Ferrell, Henry, McGrath, Nicholson, Reynolds, Sanford, Sheldon, Strong, Thompson, Waite, Ware, Warren, Youngblood, Mr. President—16.

Those voting in the negative are,

Messrs. Baldwin, Brown, Burke, Donahue, Hampton, Kehoe, Kelly, Lee, Palmer, Starnes, Whiting—11.

Mr. Palmer moved to reconsider the vote whereby the bill (S. B. 592) was lost.

The question then being, "Shall the said vote be reconsidered?" it was decided in the affirmative, by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Cummings, Cunningham, Cusey, Ferrell, Green, Hampton, Henry, Jacobs, Kehoe, McGrath, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Strong, Thompson, Waite, Ware, Warren, Whiting, Youngblood, Mr. President—26.

Those voting in the negative are,

Messrs. Brown, Burke, Castle, Donahue, Gundlach, Kelly, Lee, Starnes—8.

Mr. Lee moved that the further consideration of the bill be indefinitely postponed; which motion was decided in the negative.

On motion of Mr. Reynolds,

The bill was recommitted to the committee on judiciary.

The President, at 3 o'clock P. M., announced the time for the consideration of the special order, being Senate bill, No. 583, for "An act to appropriate \$60,000 to the city of Shawneetown, in liquidation of the legal and equitable liabilities of the State to said city of Shawneetown, growing out of the ninth article of the act of the General Assembly to incorporate the said city of Shawneetown, approved February 22, 1861."

On motion of Mr. Brown,

The consideration of the special order was postponed until Wednesday, March 18, A. D. 1874, at 11 o'clock A. M.

Mr. Cummings (by unanimous consent) called up for consideration by sections Senate bill, No. 602, for "An act in relation to licensed surveyors."

The pending question being, "Shall the Senate adopt the amendment reported from the committee on miscellany?" it was decided in the affirmative.

Sections 1, 2, 3, 4, 5 and 6 were adopted.

The question then being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Hampton called up for consideration the motion entered by Mr. Williamson on March 10, 1874, to reconsider the vote whereby Senate bill, No. 458, for "An act to revise the law in relation to licenses," was ordered engrossed and printed for a third reading.

Mr. Hampton moved that the motion to reconsider lie on the table.

The question being, "Shall the motion to reconsider the vote whereby Senate bill, No. 458, for "An act to revise the law in relation to licenses," was ordered engrossed and printed for a third reading, lie on the table?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Castle, Cummings, Cunningham, Cusey, Ferrell, Green, Hampton, Henry, Hundley, Jacobs, Lee, McGrath, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Strong, Thompson, Ware, Warren, Whiting, Wilcox, Youngblood, Mr. President—28.

Those voting in the negative are,

Messrs. Brooks, Brown, Kehoe, Reynolds, Starne, Williamson—7.

Mr. Nicholson (by unanimous consent) called up House bill, No. 603, for "An act to revise the law in relation to the department of agriculture, county agricultural boards and agricultural fairs," which, having been printed, was read at large a third time.

Mr. Strong (by unanimous consent) offered the following amendment, which was adopted :

Amend section 14, by striking out all after the word "out," in 3d line.

On motion of Mr. Wilcox,

The bill was referred to the committee on revision.

Mr. Cummings entered a motion to reconsider the vote whereby the resolutions offered by Mr. Casey on February 12, 1874, in relation to the appointment of Commissioners for the Illinois Southern Penitentiary, were indefinitely postponed, on yesterday.

Senate bill, No. 502, for "An act to authorize the legislative authorities of any city in this State having over two hundred thousand inhabitants to use any money standing to the credit of any city fund, either general or special, to meet the demands on any other city fund in which there may be a deficiency," was taken up for a third reading.

On motion of Mr. McGrath,

The further consideration of the bill was postponed to and made the special order for Wednesday, March 18, 1874, at 3 o'clock P. M.

Mr. Whiting (by unanimous consent) called up Senate bill, No. 556, for "An act to authorize the removal of the feeder dam across the Calumet river near Blue Island, in Cook county in the State of Illinois, and to provide compensation to Christian Pfeiffer and John Roll for any loss they may sustain by its removal," which, having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 28, nays 5.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Castle, Cummings, Cunningham, Cusey, Ferrell, Green, Hampton, Jacobs, Kehoe, Kelly, Lee, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Thompson, Waite, Ware, Warren, Whiting, Wilcox, Williamson, Youngblood, Mr. President—28.

Those voting in the negative are,

Messrs. Burke, Henry, McGrath, Reynolds, Starne—5.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Sanford (by unanimous consent), from the committee on judiciary, to which was referred Senate bill, No. 607 for "An act to provide for the safety of passengers in railway cars, and to prevent injury to railway cars and locomotives," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a first reading.

Mr. Sanford, (by unanimous consent) from the committee on judiciary, to which was referred Senate bill, No. 600, for "An act to provide for the publication of the Revised Statutes of the State," reported the same back with amendments, and recommended their adoption, and that the bill, as amended, be passed.

And the bill was ordered on file to be considered by sections.



Mr. Sanford (by unanimous consent), from the committee on judiciary, to which was referred House bill, No. 815, for "An act to extend the jurisdiction for county courts, and to provide for the practice thereof, to fix the time of holding the same and to repeal an act therein named," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

The bill was ordered on file for a second reading, and the amendments ordered printed.

Mr. Cusey (by unanimous consent), from the committee on roads, highways and bridges, to which was referred House bill, No. 828, for "An act to amend an act entitled 'an act in regard to gate-ways, roads and bridges in counties not under township organization,'" reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading.

Senate bill, No. 542, for "An act to amend section one hundred and nine (109) of an act entitled 'an act in regard to the administration of estates,' approved April 1," having been printed, was read at large, a third time,

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 31, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Castle, Cummings, Cusey, Ferrell, Green, Hampton, Henry, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starnes, Strong, Waite, Ware, Wilcox, Williamson, Youngblood, Mr. President—31.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Cummings entered a motion to reconsider the vote whereby Senate bill No. 542 was passed.

Senate bill, No. 558, for "An act to amend section 21 of an act entitled 'an act concerning conveyances,' approved March 29, 1872," having been printed, was read at large a third time,

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 27, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Castle, Cummings, Cunningham, Cusey, Green, Henry, Hundley, Jacobs, Kehoe, Kelly, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Shepard, Strong, Ware, Warren, Whiting, Williamson, Youngblood, Mr. President—27.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 513, for "An act to amend section twenty-four of an act entitled 'an act for the assessment of property and for the levy and collection of taxes,' approved March 30th, 1872," was taken up for a third reading, and,

On motion of Mr. Nicholson,

Was made the special order for Wednesday, March 18th, at 3:30 o'clock, P. M.

Senate bill, No. 543, for "An act concerning covenants of warranty," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 30, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Castle, Cummings, Cunningham, Cusey, Green, Hampton, Henry, Jacobs, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Starnes, Strong, Waite, Ware, Warren, Whiting, Wilcox, Youngblood, Mr. President—30.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Senate bill, No. 535, for "An act to amend an act entitled 'an act in regard to guardians and wards,' approved April 10, 1872," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 30, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Castle, Cunningham, Cusey, Green, Hampton, Henry, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Starnes, Strong, Waite, Whiting, Wilcox, Williamson, Youngblood, Mr. President—30.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 565, for "An act to provide a fund for the relief of members of police and fire departments, in incorporated cities, wounded or disabled in the discharge of their duties, and for the relief of the surviving family of any member of said departments, killed while on duty," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 33, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Castle, Cummings, Cunningham, Cusey, Green, Henry, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starnes, Strong, Thompson, Waite, Warren, Whiting, Wilcox, Williamson, Youngblood, Mr. President—33.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 560, for "An act to protect colored children in their rights to attend public schools," was taken up for a third reading.

On motion of Mr. Henry,

The further consideration of the bill was postponed to and made the special order for Thursday, March 19, 1874, at 11 o'clock A. M.

Senate bill, No. 599, for "An act to amend section 1, of article 8, of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, 1872," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 27, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Castle, Cummings, Cunningham, Cusey, Green, Henry, Hundley, Jacobs, Lee, McGrath, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Strong, Thompson, Waite, Warren, Whiting, Wilcox, Williamson, Youngblood—27.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 597, for "An act making an appropriation for repairing the lock-gates on the Little Wabash river," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Castle, Cummings, Cunningham, Cusey, Ferrell, Hundley, Jacobs, Kehoe, Lee, McGrath, Nicholson, Patterson, Reynolds, Sanford, Sheldon, Shepard, Strong, Thompson, Waite, Warren, Whiting, Wilcox, Williamson, Youngblood, Mr. President—29.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 284, for "An act to amend section 80 of 'an act to establish and maintain a system of free schools,' approved April 1, 1872," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 30, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Castle, Cummings, Cunningham, Cusey, Ferrell, Green, Henry, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Shepard, Strong, Thompson, Waite, Ware, Whiting, Wilcox, Williamson, Youngblood, Mr. President—30.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Baldwin (by unanimous consent), from the committee on education, to which was referred House bill, No. 856, for "An act to enable library associations to sell and transfer their real and personal property," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

The bill was ordered on file to be considered by sections, and the amendments were ordered printed.

Mr. Palmer, at 5:03 o'clock P. M., moved that the Senate adjourn.

The question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Brown, Burke, Cummings, Ferrell, Hundley, Kehoe, Kelly, Lee, McGrath, Palmer, Strong, Ware, Warren, Youngblood—15.

Those voting in the negative are,

Messrs. Baldwin, Castle, Cusey, Green, Henry, Jacobs, Nicholson, Patterson, Reynolds, Sanford, Sheldon, Shepard, Sterne, Thompson, Waite, Whiting, Wilcox, Williamson—18.

House bill, No. 641, for "An act to revise the law in relation to ferries," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 33, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Castle, Cummings, Cunningham, Cusey, Ferrell, Green, Henry, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Shepard, Sterne, Strong, Thompson, Waite, Warren, Whiting, Wilcox, Williamson, Youngblood, Mr. President—33.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

House bill, No. 502, for "An act to repeal an act entitled 'an act to attach all fractional townships in Kankakee county to full townships, for school purposes,'" having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 32, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Castle, Cunningham, Cusey, Ferrell, Green, Henry, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Strong, Thompson, Waite, Ware, Warren, Whiting, Wilcox, Williamson, Youngblood, Mr. President—32.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Kelly, at 5:15 o'clock P. M., moved that the Senate adjourn.

The question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Burke, Ferrell, Hundley, Kehoe, Kelly, Lee, Palmer, Sterne, Ware, Warren, Wilcox, Youngblood—13.

Those voting in the negative are,

Messrs. Baldwin, Brown, Cusey, Green, Henry, Jacobs, McGrath, Nicholson, Patterson, Reynolds, Sanford, Sheldon, Shepard, Strong, Thompson, Waite, Whiting, Williamson, Mr. President—19.

House bill, No. 491, for "An act to amend section 10 of 'an act to amend chapter 22 of the Revised Statutes, entitled "Charitable Uses," in force March 31, 1869,' was taken up for a third reading, and,

On motion of Mr. Waite,

Ordered recommitted to the committee on judiciary.

Mr. Lee, at 5:20 o'clock P. M., moved that the Senate adjourn.

The question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Burke, Hundley, Kehoe, Kelly, Lee, McGrath, Palmer, Starnes, Ware, Warren, Wilcox, Youngblood—13.

Those voting in the negative are,

Messrs. Baldwin, Brown, Castle, Cusey, Ferrell, Green, Henry, Jacobs, Nicholson, Patterson, Reynolds, Sanford, Sheldon, Shepard, Strong, Thompson, Waite, Whiting, Williamson, Mr. President—20.

House bill, No. 428, for "An act to amend section 46 of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' in force July 1, 1872," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 25, nays 9.

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Castle, Cunningham, Cusey, Ferrell, Green, Jacobs, Kehoe, Kelly, Lee, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Strong, Thompson, Waite, Whiting, Wilcox, Williamson, Youngblood, Mr. President—25.

Those voting in the negative are,

Messrs. Brooks, Burke, Henry, Hundley, McGrath, Shepard, Starnes, Ware, Warren—9.

Mr. McGrath moved to reconsider the vote whereby the bill (H. B. 428) was lost.

The question then being, "Shall the vote whereby this bill was lost be reconsidered?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Castle, Cunningham, Cusey, Ferrell, Green, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Strong, Thompson, Waite, Whiting, Wilcox, Williamson, Youngblood, Mr. President—28.

Those voting in the negative are,

Messrs. Burke, Henry, Shepard, Ware, Warren—5.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 27, nays 6.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Castle, Cunningham, Cusey, Green, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Strong, Thompson, Waite, Whiting, Wilcox, Williamson, Youngblood, Mr. President—27.

Those voting in the negative are,

Messrs. Burke, Ferrell, Henry, Shepard, Ware, Warren—4.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Nicholson,

The Senate, at 5:20 o'clock P. M., adjourned.

SATURDAY, MARCH 14, 1874—10 O'clock A. M.

The Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Gregg.

The journal of yesterday was being read, when,

On motion of Mr. Cusey,

The further reading of the same was dispensed with.

Mr. McGrath (by unanimous consent) introduced Senate bill, No. 611, for "An act to prevent the licensing of houses of ill-fame and the inspection or medical examination of the inmates of the same."

Which was ordered to a first reading.

Mr. Jacobs, (by unanimous consent) from the committee on corporations, to which was referred House bill, No. 719, for "An act to enable cities and villages to establish and regulate cemeteries," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

The report of the committee was concurred in, and the amendments adopted.

And the question being, "Shall this bill be read a third time?" it was decided in the affirmative, and

The amendments were ordered printed.

On motion of Mr. Warren,

Leave of absence was granted Senators Hampton and Cummings until Tuesday next.

On motion of Mr. Ferrell,

Leave of absence was granted Mr. Cunningham.

On motion of Mr. Jacobs,

Leave of absence was granted Mr. Sanford.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has refused to recede from their amendment to Senate bill, No. 403, for "An act to revise the law in relation to liens," and that the House of Representatives requests a committee of conference in relation thereto, to consist of three members upon the part of the House and three upon the part of the Senate.

Mr. Thompson (by unanimous consent) withdrew the motion entered by him on March 11, 1873, to reconsider the vote whereby Senate bill, No. 93, for "An act concerning revenue in counties having 100,000 inhabitants, and providing for a county assessor therein and prescribing his duties," was lost.

Mr. Shepard, (by unanimous consent) from the committee on appropriations, to which was referred Senate bill, No. 38, for "An act to authorize the Secretary of State to classify, arrange and index certain re-

cords and papers in his office, and making appropriation therefor," reported the same back and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Shepard, (by unanimous consent) from the committee on appropriations, to which was referred Senate bill, No. 562, for "An act to reimburse the endowment fund of the Illinois Industrial University, and to direct the application of such fund," reported the same back and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Shepard, (by unanimous consent) from the committee on appropriations, to which was referred Senate bill, No. 552, for "An act to appropriate money for the purchase of furniture and bedding for the Soldiers' Orphans' Home," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file to be considered by sections.

Mr. Shepard, (by unanimous consent) from the committee on appropriations, to which was referred sundry petitions, reported the same back and recommended that they lie on the table.

The report of the committee was concurred in, and the petitions were ordered to lie on the table.

Mr. Ferrell, (by unanimous consent) from the committee on revenue, to which was referred Senate bill, No. 508, for "An act to amend sections 41, 42, 46, 47, 48, 49, 73, 81, 97, 98, 126, 127 of 'an act for the assessment of property and the levy and collection of taxes,' approved March 30, 1872," reported the same back and recommended that it do not pass, and that the bill lie on the table.

The report of the committee was concurred in, and the bill was ordered to lie on the table.

Mr. Ferrell, (by unanimous consent) from the committee on revenue, to which was referred Senate bill, No. 511, for "An act to repeal sections thirty-two (32,) thirty-three (33,) and one hundred and eight (108,) of 'an act for the assessment of property and the levy and collection of taxes,' reported the same back and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill was ordered to lie on the table.

On motion of Mr. Waite,

The rules were suspended, and the order of bills on consideration by sections was taken up.

House bill, No. 763, for "An act to amend section thirty-five (35) of an act entitled 'an act to establish and maintain a system of free schools,' approved April 1, 1872," was taken up for consideration by sections.

Section 1 was adopted.

The question then being, "Shall the bill be read a third time?" it was decided in the affirmative.

House bill, No. 810, for "An act to amend section 50 of an act entitled 'an act to establish and maintain a system of free schools,' approved April 1, 1872," was taken up for consideration by sections.

Section 1 was adopted.

The question then being, "Shall the bill be read a third time?" it was decided in the affirmative.

Senate bill, No. 584, for "An act to enable the board of supervisors of Lawrence county to acquire title to the south part of the southwest quarter of section number three, town two north, range eleven west, seventy three acres, and to hold and dispose of the same for the use of the pauper fund of said county," was taken up for consideration by sections.

Sections 1, 2, and 3, were adopted.

And the question then being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the negative.

On motion of Mr. Waite,

The vote whereby the Senate refused to order the bill to be engrossed and printed for a third reading, was reconsidered.

The question then being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 567, for "An act to amend 'an act to provide for changing the names, for changing the places of business, for increasing or decreasing the capital stock, for increasing or decreasing the number of directors, and for the consolidation of incorporated companies,'" was taken up for consideration by sections.

Mr. Burke offered the following amendment, which was adopted :

Amend by striking out all after the word "it" in line 18, of section 8.

Section 1 as amended was adopted.

The question then being, "Shall this bill be engrossed and printed for a third reading?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Castle, Cusey, Green, Kehoe, McGrath, Sheldon, Steele, Waite, Whiting—11.

Those voting in the negative are,

Messrs. Burke, Casey, Ferrell, Hundley, Jacobs, Kelly, Lee, Palmer, Patterson, Shepard, Sterne, Strong, Thompson, Ware, Warren, Wilcox, Youngblood, Mr. President—18.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and, on the 14th day of March, 1874, laid before the Governor for his approval, viz :

House bill, No. 562, for "An act to enable towns and villages in counties in this State having more than 40,000 inhabitants according to the last federal census, having commons, to dispose of the same."

Senate bill, No. 509, for "An act to amend an act entitled 'an act concerning appointments and removals of city officers in all cities in this State, conferring additional powers and duties upon the mayors of such cities, and concerning appropriation bills or ordinances that may be passed in such cities,' approved March 9, 1872," was taken up for consideration by sections, and,

On motion of Mr. Lee,

Was ordered to lie on the table.

Senate bill, No. 591, for "An act to further provide for the ordinary and contingent expenses of the State government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly," was taken up for consideration by sections.

Mr. Kehoe offered the following amendment:

Strike out paragraph No. 7, and insert the following:

"*Seventh.*—To H. B. Hurd, the sum of five dollars per day, in full for

his services connected with the revision of the statutes from January 6, A. D. 1873, until the adjournment of the present General Assembly."

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Burke, Casey, Kehoe, Youngblood—4.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Brown, Castle, Cusey, Ferrell, Green, Hundley, Jacobs, Kelly, Lee, Palmer, Patterson, Reynolds, Sheldon, Shepard, Starne Steele, Strong, Thompson, Waite, Ware, Warren, Whiting, Wilcox, Williamson, Mr. President—27.

Mr. Lee offered the following amendment:

In clause 7, in line 1, strike out the word "eight" and insert "five."

Mr. Sheldon moved that debate close on the pending amendment.

The question being, "Shall debate close on the pending amendment?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cusey, Green, Jacobs, Palmer, Patterson, Reynolds, Sheldon, Shepard, Steele, Strong, Thompson, Waite, Warren, Whiting, Wilcox, Williamson—18.

Those voting in the negative are,

Messrs. Brooks, Brown, Burke, Casey, Kehoe, Kelly, Lee, Starne, Ware, Youngblood—10.

The question then being, "Shall the amendment offered by Mr. Lee be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Casey, Hundley, Kehoe, Lee, Starne, Strong, Ware, Warren, Youngblood—10.

Those voting in the negative are,

Messrs. Baldwin, Brown, Burke, Castle, Cusey, Green, Jacobs, Kelly, Palmer, Patterson, Reynolds, Sheldon, Shepard, Steele, Thompson, Waite, Whiting, Wilcox, Williamson, Mr. President—20.

Mr. Brown offered the following amendment:

Amend 7th paragraph of section 1, by striking out "eight thousand dollars," and inserting "five dollars per day."

The question being, "Shall this amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brown, Burke, Casey, Hundley, Kehoe, Kelly, Lee, Ware, Youngblood—9.

Those voting in the negative are,

Messrs. Baldwin, Cusey, Green, Jacobs, Palmer, Patterson, Reynolds, Sheldon, Shepard, Steele, Strong, Thompson, Waite, Warren, Whiting, Wilcox, Williamson, Mr. President—18.

On motion of Mr. Wilcox,

Further consideration of the pending bill was postponed to and made the special order for Wednesday, March 18, 1874, at 2:30 o'clock P. M.

Mr. Palmer entered a motion to reconsider the vote whereby the Senate refused to order Senate bill, No. 567, for "An act to provide for changing the names, for changing the places of business, for increasing or decreasing the capital stock, for increasing or decreasing the number of directors, and for the consolidation of incorporated companies," to be engrossed and printed for a third reading.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed:

Senate bill, No. 602, for "An act in relation to licensed surveyors."

Senate bill, No. 315, for "An act to revise the law in relation to mortgages of real and personal property."



Mr. Patterson (by unanimous consent) called up Senate bill, No. 608, for "An act to amend section 92, of an act entitled 'an act for the assessment of property, and for the levy and collection of taxes,' approved March 30, 1872."

Which was read at large a first time, ordered to a second reading, and

On motion of Mr. Patterson,

Referred to the committee on revenue.

Mr. Thompson (by unanimous consent), from the committee on municipalities, to which was referred Senate bill, No. 590, for "An act in relation to the management of the funds of municipal corporations and to relieve them from paying subsequent taxes or assessments on real estate purchased by them for any tax or assessment, and to preserve their lien thereon," reported the same back and recommended that it lie on the table.

The report of the committee was concurred in, and the bill was ordered to lie on the table.

Mr. Thompson (by unanimous consent) introduced Senate bill, No. 612, for "An act to amend section 18, of an act entitled 'an act in regard to the assessment of property, and the levy and collection of taxes by incorporated cities in this State,' approved April 15, 1873."

Which was ordered to a first reading.

Mr. Brown (by unanimous consent) offered the following resolution:

*Be it resolved by the Senate.* That the committee on state charitable institutions be and are hereby directed to report back to the Senate, Senate bill, No. 272, for "An act to repeal an act entitled 'an act to provide for the appointment of a board of Commissioners of Public Charities, and defining their duties and powers.'"

Which was laid over under the rule.

Mr. Shepard (by unanimous consent), from the committee on appropriations, to which was referred House bill, No. 834, for "An act to provide for the payment of the Senate penitentiary investigating committee, and the expense of witnesses, and miscellaneous expenses of the House penitentiary committee," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

The bill was ordered on file for a second reading.

Mr. Hundley, at 11:55 o'clock A. M., moved that the Senate adjourn.

The question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brown, Burke, Casey, Cusey, Ferrell, Hundley, Jacobs, Lee, Palmer, Sheldon, Starna, Waite, Ware, Warren, Whiting, Williamson, Mr. President—17.

Those voting in the negative are,

Messrs. Brooks, Castle, Green, Kelly, McGrath, Patterson, Reynolds, Shepard, Steele, Strong—10.

MONDAY, MARCH 16, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Waldo.

The journal of Saturday last was being read, when,

On motion of Mr Cusey,

The further reading of the same was dispensed with.

On motion of Mr. Brooks,

A leave of absence was granted Mr. Canfield, on account of sickness.

Senate bill, No. 603, for "An act to amend an act entitled 'an act to remedy the evils consequent upon the destruction of any public records by fire, or otherwise,' approved April 9, 1872,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

Senate bill, No. 526, for "An act to repeal an act entitled 'an act to amend an act authorizing certain persons holding property in trust for the use of the Catholic church and societies thereof, in the State of Illinois, to convey the same,' approved February 24, 1845; also, to incorporate the Catholic Bishop of Chicago, and confirm conveyances made since the 24th day of February, 1845, heretofore by the Catholic Bishop of Chicago,' approved February 20, 1861," was taken up for a second reading, and,

On motion of Mr. Kehoe,

Ordered to lie on the table.

Senate bill, No. 606, for "An act to provide for the compiling, publication and distribution of the statutes of the State,"

Was taken up, read at large a second time, and,

On motion of Mr. Reynolds,

Ordered referred to the committee on appropriations.

Senate bill, No. 557, for "An act to empower the Auditor to draw his warrants for unexpended money heretofore appropriated to the Institution for the education of the Blind,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

Mr. Steele (by unanimous consent) called up the following message from the House of Representatives :

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has refused to recede from their amendments to Senate bill, No. 403, for "An act to revise the law in relation to liens," and that the House of Representatives requests a committee of conference in relation thereto, to consist of three members on the part of the House and three upon the part of the Senate.

On motion of Mr. Steele,

The above request of the House of Representatives was ordered acceded to.

Senate bill, No. 612, for "An act to amend section 18 of an act entitled 'an act in regard to the assessment of property and the levy and collection of taxes by incorporated cities in this State,'"

Was taken up, read at large a first time, and ordered to a second reading.

Senate bill, No. 607, for "An act to provide for the safety of passengers in railway cars, and to prevent injury to railway cars and locomotives,"

Was taken up, read at large a first time, and ordered to a second reading.

Senate bill, No. 611, for "An act to prevent licensing of houses of ill-fame and the inspection or medical examination of the inmates of the same,"

Was taken up, read at large a first time, and ordered to a second reading.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, viz:

Senate bill, No. 461, for "An act to revise the law in relation to official bonds."

House bill, No. 522, for "An act to repeal an act entitled 'an act to establish a board of fire engineers and to reorganize the fire department in the city of Quincy,' approved February 16, 1865, and an act entitled 'an act to amend an act entitled 'an act to establish a board of fire engineers, and to reorganize the fire department in the city of Quincy, Illinois,' approved February 18, 1867.'"

House bill, No. 425, for "An act making an appropriation for the benefit of the State Board of Agriculture, and of county agricultural boards,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

House bill, No. 607, for "An act to revise the law in relation to attorneys general and State's attorneys,"

Was taken up, read at large a second time, and,

On motion of Mr. Shepard,

The rules were suspended, and the bill was ordered to be read a third time.

House bill, No. 390, for "An act to amend an act entitled 'an act in regard to judgments and decrees, and the manner of enforcing the same by execution, and to provide for the redemption of real estate sold under execution or decree,' in force July 1, 1872,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to lay before the Senate the following written communication:

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, March 16, 1874.

*To the Honorable the Senate:*

I have the honor to nominate and appoint the following named gentlemen notaries public, in and for the counties in which they respectively reside:

Names.	Residence.	County.
Henry E. Watkins.....	Chicago.....	Cook.
Guy C. Sampson.....	".....	"
Moses C. Felker.....	".....	"
O. T. Southworth.....	".....	"
John W. Hoffman.....	Northfield.....	"
Michael J. Dunne.....	Chicago.....	"
Joseph R. Gorman.....	".....	"
Jerome Beardsley.....	".....	"
Henry D. P. Hosier.....	".....	"
Henry Winter.....	".....	"
Charles H. Vonte.....	".....	"
Edward Harring.....	".....	"
Edward Decoyne.....	".....	"
Walter G. Goodrich.....	".....	"
George C. Sayles.....	".....	"
C. L. Root.....	".....	"
J. H. Raymond.....	".....	"

Names.	Residence.	County.
Robert C. Hammill	Chicago	Cook.
Benj. M. Schaffer	"	"
Charles E. Williams	"	"
Geo. W. Toms	Bloomington	McLean.
James D. Spencer	"	"
Jesse Birch	"	"
John W. Seybolt	Chenoa	"
John Olinger	Centerville	St. Clair.
George Kinghorn	West Belleville	"
James W. Primmer	Sandoval	Marion.
William W. Willard	Salem	"
Fred. S. Dewey	"	"
Samuel F. King	Irving	Montgomery.
James M. Truitt	Hillsboro	"
Francis M. W. Price	Paxton	Ford.
Henry Wingart	West Point	Stephenson.
Isaac S. Shirey	Ridott.	"
Elhanan Knourff	Elkville	Jackson.
George Wilder	Aurora	Kane.
Wm. Smith	Geneva	"
F. W. Forbes	Pana	Christian.
Thomas J. Rudd	Rockford	Winnebago.
Henry Bly	Ashton	Lee.
Daniel L. Freeman	Perry	Pike.
Wm. E. Butler	Milton	"
Samuel G. Parks	DuQuoin	Perry.
Rufus G. Bailey	Mt. Carroll	Carroll.
Isaac M. Kirkpatrick	Monmouth	Warren.
X. B. Trower	Sullivan	Moultrie.
Barnabas Bogges	Girard	Macoupin.
James K. Furber	Carlinville	"
Horace Hayward	Olney	Richland.
George Mouroe	Charleston	Coles.
Richard Tierney	Okawville	Washington.
Mark Durant	DuBois	"
Franz H. L. Bahnsen	Rock Island	Rock Island.
R. D. Maynard	Deer's Corners	Lake.
John T. Kenworthy	Rock Island	Rock Island.
James M. Beardaley	"	"
John Morris	LaPrairie	Marshall.
Thomas W. Anderson	Otter Creek	Jersey.
William Morris	Greenville	Bond.
David H. Lollis	Meredosia	Morgan.
James McCartney	Fairfield	Wayne.
August L. Langeller	Papineau	Iroquois.
Nicholas Ulrich	Peoria	Peoria.
Alfred T. Lisenby	Steele Mills	Randolph.
Wm. A. McFarlane	Braidwood	Will.
S. R. Payne	Forreston	Ogle.
Alfred R. Bryant	Danville	Vermilion.
James M. Strawaberry	"	"
Israel P. Rudolph	Noble	Richland.
Charles Carpenter	Downer's Grove	DuPage.
Henry E. Dougherty	Otterville	Jersey.
Frank P. Whipple	Chicago	Cook.
Wesley E. Sissor	"	"
Marcus Montellus	Buckeye	Stephenson.
Jonas H. Keith	Champaign	Champaign.
Franklin S. Foot	Chicago	Cook.
James H. Fairchild	"	"
Everhart McGilton	Clay City	Clay.
J. B. Russell	Champaign	Champaign.
Robert Jameson	Peoria	Peoria.
Adison May Hahn	Lincoln	Logan.
Edwin E. Bacon	Willow Creek	Lee.
Thomas W. Cole	Marshall	Clark.
John Stiles	Kankakee	Kankakee.
Osmun Moses	Fulbury	Livingston.
Herman C. Schultz	Hickory	Schnyder.
Joseph L. Davis	Mackinaw	Tazewell.
Townsend McConn	Chicago	Cook.
Joseph Matteson	"	"

In these appointments I respectfully ask your concurrence.

JOHN L. BEVERIDGE,  
Governor.

House bill, No. 715, for "An act to amend the title of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' in force July 1, 1872,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

On motion of Mr. Thompson,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

And the question being, "Shall this bill be read a third time?" it was decided in the affirmative.

House bill, No. 828, for "An act to amend an act entitled 'an act in regard to gateways, roads and bridges in counties not under township organization,' approved April 18th, 1873,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

House bill, No. 834, for "An act to provide for the payment of the Senate penitentiary investigating committee, and the expense of the witnesses and miscellaneous expenses of the House penitentiary committee,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

Mr. Ferrell (by unanimous consent), from the committee on revenue, to which was referred Senate bill, No. 608, for "An act to amend section 92 of an act entitled 'an act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

On motion of Mr. Patterson,

The rules were suspended, and the bill was read at large a second time, and ordered on file to be considered by sections, and,

On motion of Mr. Patterson,

The rules were further suspended, and the bill was taken up for consideration by sections.

The pending question being, "Shall the Senate adopt the amendments reported from the committee on revenue?" it was decided in the affirmative.

Section 1 was adopted.

The question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Ferrell (by unanimous consent) offered the following resolution:

*Resolved by the Senate, the House concurring herein.* That a committee of eight be appointed, consisting of three from the Senate and five from the House, one of which Senate members and two of which House members shall be members of the joint revision committee, for the purpose of examining the bills now pending in the two houses, and recommending which of said bills should be pressed forward to speedy passage before this General Assembly shall adjourn.

Which laid over under the rule.

House bill, No. 650, for "An act to revise the law in relation to plats,"

Was taken up, read at large a first time, and ordered to a second reading.

House bill, No. 639, for "An act to revise the law in relation to fences,"

Was taken up, read at large a first time, and ordered to a second reading.

House bill, No. 860, for "An act concerning the decisions and publication of the reports of the supreme court."

Was taken up, read at large a first time, and ordered to a second reading, and,

On motion of Mr. Lee,

Referred to the committee on judiciary.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 14th day of March, 1874, laid before the Governor for his approval, viz :

House bill, No. 502, for "An act to repeal an act entitled 'an act to attach all fractional townships in Kankakee county to full townships therein for school purposes.'"

House bill, No. 428, for "An act to amend section forty-six (46) of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' in force July 1, 1872."

House bill, No. 259, for "An act to simplify the forms of pleading,"

Was taken up, read at large a first time, and ordered to a second reading, and,

On motion of Mr. Casey,

Referred to the committee on judiciary.

On motion of Mr. Reynolds,

The Senate, at 10:55 o'clock A. M., adjourned until 2:30 o'clock P. M.

#### TWO-THIRTY O'CLOCK, P. M.

Senate met, pursuant to adjournment.

Mr. Kehoe (by unanimous consent), from the committee on municipalities, to which was referred Senate bill, No. 596, for "An act in relation to gas works," reported the same back with an amendment, and recommended its adoption, and that the bill as amended be passed.

The report of the committee was concurred in, the amendment was adopted, and the bill was ordered on file to be considered by sections, and,

On motion of Mr. Kehoe,

The rules were suspended, and the bill was taken up for consideration by sections.

Section 1 was adopted.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Patterson (by unanimous consent) introduced Senate bill, No. 613, for "An act to amend 'an act in regard to roads and bridges in counties under township organization,'".

Which was ordered to a first reading.

On motion of Mr. Patterson,

The rules were suspended, and the bill was read at large a first time, and ordered to a second reading and ordered referred to the committee on roads, highways and bridges.

On motion of Mr. Palmer,

The rules were suspended for the purpose of considering bills by sections.

Senate bill, No. 554, for "An act to make the schedules prepared and published by the railroad and warehouse commissioners *prima facie* evidence in the several courts of this State," was taken up for consideration by sections.

Mr. Ware offered the following amendment, which was adopted :

Amend section 1 by inserting after the word "commission," in line 14, the words "stating when and in what manner the same were published."

Section 1 as amended was adopted.

Section 2 was adopted.

The question being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative.

House bill, No. 17, for "An act to enable boards of underwriters incorporated by or under the laws of the State of Illinois to establish and maintain a fire patrol," was taken up for consideration by sections.

Sections 1, 2, 3 and 4 were adopted.

The question then being, "Shall this bill be read a third time?" it was decided in the affirmative.

Senate bill, No. 498, for "An act to amend an act entitled 'an act to exempt the homestead from forced sale and to provide for setting off the same, and to exempt certain personal property from attachment and sale on execution and from distress for rent,'" was taken up for consideration by sections.

The pending question being, "Shall the Senate adopt the amendments reported from the committee on judiciary?" it was decided in the affirmative.

Section 1 as amended was adopted.

The question then being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Steele, from the committee on judiciary, to which was referred Senate bill, No. 529, for "An act to amend 'an act concerning circuit courts, and to fix the times of holding the same in the several counties of the judicial circuits in the State of Illinois, exclusive of Cook,' approved May 2, 1873," together with the amendment adopted thereto by the House of Representatives, reported the same back, and recommended that the Senate concur with the House of Representatives in the adoption of their amendment.

On motion of Mr. Steele,

The bill was placed on file in the order of House messages.

Senate bill, No. 190, for "An act to extend the jurisdiction of constables in incorporated towns and cities," was taken up for consideration by sections.

The pending question being, "Shall the Senate adopt the amendment to the bill reported from the committee on municipalities?" it was decided in the affirmative.

Section 1 as amended was adopted.

And the question then being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 538, for "An act to amend section fifty-four of article nine, of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, 1872," was taken up, for consideration by sections.

The pending question being, "Shall the Senate adopt the amendment to the bill reported from the committee on municipalities?" it was decided in the affirmative.

Section 1 as amended was adopted.

The question then being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 564, for "An act providing for the better protection of persons owning grain stored in public warehouses of class A," was taken up for consideration by sections, and,

On motion of Mr. Reynolds,

Was ordered to lie on the table.

House bill, No. 594, for "An act to amend an act entitled 'an act to provide for the incorporation of cities and villages,' was taken up for consideration by sections.

The pending question being, "Shall the Senate adopt the amendments to the bill reported from the committee on municipalities?" it was decided in the affirmative.

Section 1 as amended was adopted.

The question then being, "Shall the bill be read a third time?" it was decided in the affirmative, and

The amendments to the bill were ordered printed.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, to-wit:

House bill, No. 502, for "An act to repeal an act entitled 'an act to attach all fractional townships in Kankakee county to full townships therein, for school purposes.'"

House bill, No. 428 for "An act to amend section 46 of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' in force July 1, 1872."



House bill, No. 798, for "An act to amend section 8 of an act entitled 'an act concerning corporations,' approved April 18, 1872," was taken up for consideration by sections.

Mr. Casey offered the following amendment, which was adopted :

Amend section 1, line 18, by striking out the word "transferer," and inserting in lieu thereof "transferee."

Section 1 as amended was adopted.

The question then being, "Shall this bill be read a third time?" it was decided in the affirmative, and

The amendments were ordered printed.

Senate bill, No. 595, for "An act to revise the law in relation to the Soldiers' Orphans' Home," was taken up for consideration by sections.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 12 were adopted.

The question then being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative.

House bill, No. 500, for "An act to amend section 14 of an act entitled 'an act to provide for the management of the Illinois State Penitentiary at Joliet,'" was taken up for consideration by sections.

The pending question being, "Shall the Senate adopt the amendments to the bill reported from the committee on penal institutions?" it was decided in the affirmative.

Section 1 as amended was adopted.

The question being, "Shall the bill be read a third time?" it was decided in the affirmative, and

The amendments to the bill were ordered printed.

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has adopted the following resolution, to-wit :

*Resolved by the House of Representatives, the Senate concurring herein, That the joint committee on revision be instructed to ascertain what bills, now pending before the two branches of the General Assembly, are of pressing importance in order to complete the revision, and report the same back as soon as possible. Such bills, when reported, shall take precedence, and be considered to the exclusion of other business.*

In the adoption of which I am instructed to ask the concurrence of the Senate.

Senate bill, No. 536, for "An act to amend an act entitled 'an act to provide for the incorporation of cities and villages,' approved April, 1872," was taken up for consideration by sections, and,

On motion of Mr. Lee,

Was recommitted to the committee on municipalities.

House bill, No. 515, for "An act to amend an act entitled 'an act in relation to the penitentiary at Joliet, to be entitled 'an act to provide for the management of the Illinois State Penitentiary at Joliet,' approved June 16, 1871,'" was taken up for consideration by sections.

Section 1 was adopted.

The question then being, "Shall this bill be read a third time?" it was decided in the affirmative.

On motion of Mr. Williamson,

The vote whereby House bill, No. 798, for "An act to amend section 8 of an act entitled 'an act concerning corporations,' approved April 18, 1872," was ordered to be read a third time, was reconsidered.

On motion of Mr. Williamson,

The vote whereby section 1 of the bill was adopted, was reconsidered. Mr. Williamson offered the following amendment, which was adopted: Amend by inserting after the words "semi-annually," in line 11, the

following: "On the first day of January and the first day of July in each year."

Section 1 as amended was adopted.

The question then being, "Shall the bill be read a third time?" it was decided in the affirmative, and

The amendments were ordered printed.

Mr. Shepard (by unanimous consent), from the committee on appropriations, introduced Senate bill, No. 614, for "An act making an appropriation for the payment of the claim of A. Paine, for binding the first and second volumes of the report of the geological survey of Illinois."

Which was ordered to a first reading.

On motion of Mr. Shepard,

The rules were suspended, and the bill was read at large a first time, and ordered to a second reading.

Mr. Ferrell (by unanimous consent) called up for consideration the resolution offered by him this day, providing for a joint special committee to examine and recommend what bills shall be acted upon.

On motion of Mr. Glenn,

The further consideration of the resolution was postponed to and made the special order for Tuesday, the 17th ult., at 10:30 o'clock A. M.

On motion of Mr. Reynolds,

The Senate, at 3:45 o'clock P. M., adjourned.

#### TUESDAY, MARCH 17, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

The journal of yesterday was being read, when,

On motion of Mr. Palmer,

The further reading of the same was dispensed with.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and on the 16th day of March, 1874, laid before the Governor for his approval, viz:

House bill, No. 231, for "An act to limit and determine the time for which counties, cities, townships, towns and precincts, in this State, shall be liable and holden to issue aid for the building of any railroad in pursuance of any vote taken in conformity to the laws of this State."

On motion of Mr. Brooks,

The vote whereby Senate bill, No. 498, for "An act to amend an act entitled 'an act to exempt the homestead from forced sale, and to provide for setting off the same, and to exempt personal property from attachment and sale on execution and from distress for rent," was ordered to be engrossed and printed for a third reading, was reconsidered.

On motion of Mr. Brooks,

The vote whereby section 1 as amended was adopted, was reconsidered.

Mr. Brooks offered the following amendment, which was adopted.

Amend section 1 by adding after the word "rent," in line 4, "approved April 30, 1873."

Section 1 as amended was adopted.

The question then being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 607, for "An act to provide for the safety of passengers in railway cars, and to prevent injury to railway cars and locomotives."

Was taken up, read at large a second time, and ordered on file, to be considered by sections.

Senate bill, No. 612, for "An act to amend section 18 of an act entitled 'an act in regard to the assessment of property and the levy and collection of taxes by incorporated cities in this State,' approved April 15, 1873,"

Was taken up, read at large a second time, and,

On motion of Mr. Starue,

Referred to the committee on judiciary.

Senate bill, No. 611, for "An act to prevent the licensing of houses of ill-fame and the official inspection or medical examination of the inmates of the same,"

Was taken up, read at large a second time, and,

On motion of Mr. Wilcox,

Referred to the committee on miscellany.

Senate bill, No. 614, for "An act making an appropriation for the payment of the claim of A. Paine, for binding the first and second volumes of the report of the geological survey of Illinois,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

House bill, No. 639, for "An act to revise the law in relation to fences,"

Was taken up, read at large a second time, and,

On motion of Mr. Steele,

The rules were suspended, and the bill was ordered to be read a third time.

House bill, No. 650, for "An act to revise the law in relation to plats,"

Was taken up and read at large a second time.

And the question being, "Shall this bill be read a third time?" it was decided in the affirmative.

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in their amendments to House bill, No. 619, for "An act to revise the law in relation to the commitment and detention of lunatics."

Also, with their amendments to House bill, No. 645, for "An act to revise the law in relation to limited partnerships."

Also, their amendments to House bill, No. 651, for "An act to revise the law in relation to promissory notes, bonds, due bills, and other instruments in writing."

House message on Senate bill, No. 280, for "An act to revise the law in relation to change of venue," was taken up for consideration.

The question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments to the bill?"

Amend by striking out section 22.

Amend section 23, by inserting in the second line of the printed bill, after the word "county," the following words: "against the defendant, his petition shall set forth the facts on which he founds his belief, and."

Amend by renumbering the sections after section 21.

Amend by adding after section 33 of the printed bill the following, to-wit:

"§ 34. Upon the termination of any trial when a change of venue has

been obtained, the clerk of the court in which the trial is had shall make out a statement, and shall certify to the same, of the costs, to the county in which the trial is had, for the fees and board of the jury, and of boarding the prisoner while in the jail of such county; and such account, when so certified, shall be paid by the county in which such indictment or information was found; and all fines imposed and collected in the county where the trial is had shall be paid over to the county in which the indictment or information was found.

“§ 35. Upon the entry of judgment or decree in any civil cause in which the venue has been changed, it shall be lawful for the party in whose favor judgment or decree is rendered, to file in the office of the clerk of the court where the suit was instituted, a transcript of such judgment and decree, and said clerk shall enter the same in his judgment docket, and execution may issue thereon, and the same shall, from the time of filing such transcript, have the same operation and effect as if originally recovered in such court.”

Amend by renumbering section 34 of the printed bill “section 36.”

In was decided in the affirmative, by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Castle, Cummings, Cusey, Dow, Ferrell, Green, Henry, Hundley, Kehoe, Kelly, McGrath, Murphy, Palmer, Reynolds, Shepard, Starne, Steele, Stroug, Thompson, Ware, Warren, Whiting, Wilcox, Williamson, Youngblood, Mr. President—27.

The following House message was taken up for consideration:

*Resolved by the House of Representatives, the Senate concurring herein, That the joint committee on revision be instructed to ascertain what bills now pending before the two branches of the General Assembly are of pressing importance, in order to complete the revision, and report the same back as soon as possible. Such bills, when reported, shall take precedence and be considered to the exclusion of other business.*

Mr. Kehoe offered the following amendment, which was lost:

Strike out the words “to the exclusion of other business.”

On motion of Mr. Cummings,

The previous question was ordered.

The question then being, “Shall the Senate concur with the House of Representatives in the adoption of the resolution?” and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Castle, Cummings, Cusey, Ferrell, Glenn, Green, Hundley, Jacobs, McGrath, Murphy, Palmer, Patterson, Reynolds, Shepard, Strong, Ware, Warren, Whiting, Wilcox, Williamson, Mr. President—21.

Those voting in the negative are,

Messrs. Burke, Dow, Henry, Kehoe, Kelly, Starne—4.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 441, for “An act to revise the law in relation to county clerks.”

Senate bill, No. 475, for “An act to revise the law in relation to telegraph companies.”

Senate bill, No. 480, for “An act to revise the law in relation to the vacation of streets, alleys and public grounds.”

With amendments thereto.

In the adoption of which amendments I am instructed to ask the concurrence of the Senate.

The President, at 11:30 o'clock A. M., announced the time for the consideration of the special order, being the resolution offered on yesterday by Mr. Ferrell, in relation to the appointment of a special committee.

On motion of Mr. Ferrell,

The consideration of the resolution was indefinitely postponed.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has voted to insist upon its amendments to Senate bill, No. 481, for "An act to revise the law in relation to toll roads," and ask for a committee of conference of three members on the part of the House, and three members on the part of the Senate.

Also, that the House of Representatives has voted to insist upon its amendments to Senate bill, No. 477, for "An act to revise the law in relation to toll bridges," and asks for a committee of conference in relation thereto, to consist of three members on the part of the House, and three members on the part of the Senate.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has refused to concur with them in their amendments to House bill, No. 685, for "An act to revise the law in relation to escheats," and that the House of Representatives asks a committee of conference in relation thereto, to consist of three members on the part of the House, and three on the part of the Senate.

On motion of Mr. Palmer,

The request of the House of Representatives, asking committees of conference on amendments to the following bills, viz:

Senate bill, No. 481, for "An act to revise the law in relation to toll roads,"

Senate bill, No. 447, for "An act to revise the law in relation to toll bridges,"

House bill, No. 685, for "An act to revise the law in relation to escheats,"

Was acceded to.

House message on Senate bill, No. 529, for "An act to amend 'an act concerning circuit courts and to fix the times of holding the same in the several counties of the judicial circuits in the State of Illinois, exclusive of Cook,' approved May 2, 1873," was taken up for consideration.

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments to the bill?"

Amend by striking out all after the enacting clause, and insert in lieu thereof the following:

"That paragraph twenty-one, of section one, of an act entitled "An act concerning circuit courts, and to fix the times of holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook," be and the same is hereby amended so as to read as follows:

"*Twentieth Circuit.*—In the county of Christian, on the first Tuesday of February and third Tuesday of August; in the county of Montgomery, on the seventh Tuesday after the first Tuesday of February and on the twelfth Tuesday after the third Tuesday of August; in the county of Fayette, on the third Tuesday after the first Tuesday in February and the fourth Tuesday after the third Tuesday in August; in the county of

Shelby, on the second Tuesday of May and on the eighth Tuesday after the third Tuesday of August.

It was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Burke, Casey, Castle, Cusey, Dow, Ferrell, Glenn, Green, Henry, Jacobs, Kehoe, Kelly, McGrath, Murphy, Palmer, Steele, Strong, Thompson, Upton, Ware, Warren, Whiting, Williamson, Youngblood, Mr. President—28.

House message on Senate bill, No. 480, for "An act to revise the law in relation to the vacation of streets, alleys and public grounds," was taken up for consideration.

And the pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments to the bill?"

Amend section 1 by striking out the words "or public ground," wherever they occur in said section, and insert before the word "alley," in line 8, the word "or."

Amend section 2 by striking out the words "public ground," wherever they occur in said section.

Amend the title so it shall read as follows: A bill for "An act to revise the law in relation to the vacation of streets and alleys."

It was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Burke, Casey, Castle, Cummings, Cusey, Dow, Ferrell, Glenn, Green, Henry, Jacobs, Kehoe, Kelly, Murphy, Palmer, Patterson, Reynolds, Sanford, Steele, Strong, Thompson, Upton, Ware, Warren, Whiting, Williamson, Youngblood, Mr. President—29.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and on the 17th day of March laid before the Governor for his approval, viz:

House bill, No. 651, for "An act to revise the law in relation to promissory notes, bonds, due bills and other instruments in writing."

House message on Senate bill, No. 441, for "An act to revise the law in relation to county clerks," was taken up for consideration.

And the pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendment to the bill?"

Add to the end of section 4 the words "at the county seat."

It was decided in the affirmative, by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Burke, Castle, Cummings, Cusey, Dow, Ferrell, Glenn, Green, Jacobs, Kelly, McGrath, Murphy, Palmer, Patterson, Reynolds, Sanford, Shepard, Searns, Steele, Strong, Thompson, Upton, Ware, Warren, Whiting, Williamson, Youngblood, Mr. President—30.

House message on Senate bill, No. 457, for "An act to revise the law in relation to telegraph companies," was taken up for consideration.

And the pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments to the bill?"

In section 2, line 4, after the word "any," insert "railroad." Before the word "road," in line 8, section 2, insert the word "rail."

It was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Burke, Castle, Dow, Ferrell, Glenn, Green, Henry, Jacobs, Kehoe, Kelly, Murphy, Palmer, Patterson, Reynolds, Sanford, Shepard, Strong, Thompson, Upton, Ware, Warren, Whiting, Williamson, Youngblood, Mr. President—26.

Messrs. Casey and Cummings voted in the negative.

The President, at 11 o'clock A. M., announced the time for the consideration of the special order, being the order of bills on second reading by sections.

Senate bill, No. 503, for "An act to provide for the incorporation of the institutions of learning above the grade of common schools," was taken up for consideration by sections, and,

On motion of Mr. Cummings,

Was ordered to lie on the table.

Senate bill, No. 551, for "An act making an appropriation for the purchase of a site for the construction of buildings for the Illinois Institution for the education of Feeble-minded Children," was taken up for consideration by sections.

The pending question being, "Shall the Senate adopt the amendments reported from the committee on appropriations?" it was decided in the affirmative by the following vote:

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 were adopted.

On motion of Mr. Starne,

The vote whereby section 2 was adopted was reconsidered.

Mr. Thompson offered the following amendment, which was adopted:

Amend section 2, line 3, by inserting after the word "acres" the words "in some county," and after the word "State," as proposed in the committee's amendment to said section, insert the words "in which there is at present located a State charitable institution."

Section 2 as amended was adopted.

And the question then being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative, by the following vote:

Those voting in the affirmative are,

Messrs. Burke, Castle, Casey, Dow, Ferrell, Glenn, Hundley, Jacobs, Kehoe, Patterson, Reynolds, Sanford, Shepard, Starne, Steele, Strong, Thompson, Upton, Ware, Warren, Whiting, Wilcox, Williamson, Mr. President—26.

Those voting in the negative are,

Messrs. Cummings, Green, McGrath, Murphy, Palmer, Youngblood—6.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in their amendments to the House amendment to section 7 of Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," and has voted to insist on their amendments to which the Senate has refused to concur, and asks a committee of conference in relation thereto, to consist of three members on the part of the House and three members on the part of the Senate.

Also, that the House of Representatives has voted to insist on its amendments to Senate bill, No. 459, for "An act to revise the law in relation to mines."

And asks a committee of conference in relation thereto, to consist of three members on the part of the House and three members on the part of the Senate.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in their amendments to House bill, No. 306, for "An act to authorize courts of record in certain cases to order lands to be sub-divided and platted."

Senate bill, No. 593, for "An act to amend section number eight of an act entitled 'an act to provide for annexing and excluding territory to

and from cities, towns and villages, and to unite cities, towns and villages," was taken up for consideration by sections.

Section 1 was adopted.

The question then being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Senate bill, No. 577, for "An act to amend sections 1, 2, 4, 7, 9 and 12, of an act entitled 'an act for the registry of electors and to prevent fraudulent voting,' approved February 15, 1865, and to repeal section 10 of said act," was taken up for consideration by sections.

Mr. Starne offered the following amendment:

Strike out all after the enacting clause, and insert the following: That an act entitled "An act for the registry of electors and to prevent fraudulent voting," approved February 15, 1865, be and the same is hereby repealed.

Mr. Palmer moved to postpone the further consideration of the bill and amendment to and make them the special order for Wednesday, March 18, 1874, at 2:30 o'clock, P. M.

The question then being, "Shall the bill and amendment be so postponed?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Cusey, Dow, Ferrell, Green, Henry, Palmer, Patterson, Reynolds, Sanford, Shepard, Steele, Thompson, Upton, Whiting, Wilcox, Mr. President—16.

Those voting in the negative are,

Messrs. Brooks, Burke, Casey, Castle, Cummings, Glenn, Hundley, Jacobs, Kehoe, Kelly, McGrath, Murphy, Starne, Strong, Ware, Warren—16.

The President made the following announcements:

I hereby appoint on the part of the Senate, as committee of conference on House amendments to Senate bill, No. 481, for "An act to revise the law in relation to toll roads," Senators Williamson, Patterson and Cummings.

Also, on House amendments to Senate bill, No. 477, for "An act to revise the law in relation to toll bridges," Senators Williamson, Patterson and Cummings.

Also, on Senate amendments to House bill, No. 685, for "An act to revise the law in relation to escheats," Senators Sanford, Shepard and Ware.

JOHN EARLY, *President*.

I hereby appoint on the part of the Senate as committee of conference on House amendments to Senate bill, No. 403, for "An act to revise the law in relation to liens," Senators Upton, Palmer and Youngblood.

JOHN EARLY, *President*.

Pending the further consideration of the bill and Mr. Starne's amendment thereto,

On motion of Mr. Reynolds,

The Senate, at 12:20 o'clock P. M., adjourned to 2:30 o'clock P. M.



TWO-THIRTY O'CLOCK P. M.

Senate met, pursuant to adjournment.

On motion of Mr. Upton,

The request of the House of Representatives, asking a committee of conference on the amendments to Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," and Senate bill, No. 459, for "An act to revise the law in relation to mines," was acceded to.

The President made the following announcement:

I hereby appoint as committee of conference on the part of the Senate on House amendments to Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," Senators Steele, Henry and Murphy.

Also, House amendments to Senate bill, No. 459, for "An act to revise the law in relation to mines," Senators Strong, Greene and Starnes.

JOHN EARLY, *President*.

The consideration of Senate bill, No. 577, for "An act to amend sections 1, 2, 4, 7, 9 and 12 of an act entitled 'an act for the registry of electors, and to prevent fraudulent voting,' approved February 15, 1865, and to repeal section 10 of said act," and the amendment offered thereto by Mr. Starnes, which was pending at the time of the last adjournment, was resumed.

The question being, "Shall the amendment offered by Mr. Starnes be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Burke, Casey, Castle, Cummings, Hundley, Jacobs, Kehoe, Kelly, Murphy, Starnes, Strong, Ware, Warren, Youngblood—15.

Those voting in the negative are,

Messrs. Cusey, Dow, Green, Henry, McGrath, Patterson, Reynolds, Sanford, Shepard, Steele, Thompson, Upton, Whiting, Wilcox, Williamson, Mr. President—16.

Mr. Casey offered the following amendment:

Amend section 1 by adding the following: "*Provided*, that nothing herein contained shall require said registry to be made at any time except at and prior to the regular election of Governor of the State, every four years."

The question being, "Shall this amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Burke, Casey, Castle, Cummings, Glenn, Hundley, Jacobs, Kehoe, Kelly, McGrath, Murphy, Palmer, Reynolds, Starnes, Strong, Ware, Warren, Youngblood—19.

Those voting in the negative are,

Messrs. Cusey, Dow, Ferrell, Green, Henry, Patterson, Sanford, Shepard, Steele, Thompson, Upton, Whiting, Wilcox, Williamson, Mr. President—15.

Mr. Reynolds moved that the further consideration of the pending bill be postponed to and made the special order for Thursday, March 19, A. D. 1874, at 10:30 o'clock, A. M.

The question being, "Shall the consideration of the bill be so postponed?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Cummings, Cusey, Dow, Ferrell, Green, Henry, McGrath, Patterson, Reynolds, Sanford, Shepard, Steele, Thompson, Upton, Warren, Whiting, Wilcox, Williamson, Mr. President—19.

Those voting in the negative are,

Messrs. Brooks, Burke, Casey, Castle, Glenn, Hundley, Jacobs, Kehoe, Kelly, Murphy, Starnes, Strong, Ware, Youngblood—14.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of bills of the following titles, to-wit:

Senate bill, No. 468, for "An act to revise the law in relation to quo warranto."

Senate bill, No. 492 for "An act in regard to horse and dummy railroads."

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in their amendments to House bill, No. 641, for "An act to revise the law in relation to ferries."

Mr. Cummings called up the motion entered by him on Tuesday, the 10th ultimo, to reconsider the vote whereby the Senate refused to order Senate bill, No. 579, for "An act to amend section 15 of an act entitled 'an act to regulate public warehouses and the warehousing and inspection of grain, and to give effect to article 13 of the constitution of this State,' approved April 25, 1871," to be engrossed and printed for a third reading.

The question being, "Shall the vote whereby the bill was refused to be ordered engrossed and printed for a third reading, be reconsidered?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Casey, Cummings, Cusey, Dow, Glenn, Hundley, Kehoe, Kelly, McGrath, Murphy, Palmer, Reynolds, Sanford, Starnes, Steele, Upton, Warren, Wilcox, Williamson, Youngblood—21.

Those voting in the negative are,

Messrs. Castle, Ferrell, Green, Henry, Jacobs, Patterson, Strong, Ware, Whiting—9.

On motion of Mr. Whiting,

The further consideration of the bill was postponed to and made the special order for Wednesday, March 18, 1874, at 10 o'clock A. M.

House bill, No. 305, for "An act to define monopolies in the internal trade and commerce of this State, and discourage the formation and continuance thereof," was taken up for consideration by sections.

Mr. Lee moved that the further consideration of this bill be postponed to and made the special order for Thursday, March 29, 1874, at 3 o'clock P. M.

The question being, "Shall the consideration of this bill be so postponed?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Burke, Casey, Cummings, Cusey, Dow, Glenn, Henry, Jacobs, Kehoe, Kelly, Lee, McGrath, Patterson, Starnes, Steele, Ware, Wilcox—18.

Those voting in the negative are,

Messrs. Castle, Green, Hundley, Palmer, Shepard, Strong, Warren, Whiting, Williamson—9.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House

of Representatives has concurred with them in the passage of bills of the following titles, to-wit:

Senate bill, No. 465, for "An act to revise the law in relation to the State militia."

Senate bill, No. 524, for "An act to provide for the laying of water supply pipe by bonds and special assessments payable in installments."

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of bills of the following titles, to-wit:

Senate bill, No. 467, for "An act to revise the law in relation to paupers."

Senate bill, No. 478, for "An act to revise the law in relation to township insurance companies."

With amendments thereto.

In the adoption of which amendments I am instructed to ask the concurrence of the Senate.

Senate bill, No. 578, for "An act to amend sections 25, 43, 53, 97, 106, and 107 of 'an act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872," was taken up for consideration by sections, and,

On motion of Mr. Cummings,

The further consideration of the bill was postponed to and made the special order for Wednesday, March 18, 1874, at 2:30 o'clock P. M.

House bill, No. 741, for "An act in relation to courts of records in cities," was taken up for consideration by sections.

The pending question being, "Shall the Senate adopt the amendments to the bill reported from the committee on revision?"

Ordered that the amendments be taken up *seriatim*.

The question then being, "Shall the Senate adopt the first amendment reported from the committee on revision?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Casey, Castle, Henry, Kehoe, Lee, Murphy, Reynolds, Steele, Thompson, Upton, Wilcox—11.

Those voting in the negative are,

Messrs. Brooks, Burke, Cummings, Cusey, Glenn, Green, Hundley, Jacobs, Kelly, Palmer, Patterson, Sanford, Shepard, Starnes, Strong, Ware, Warren, Whiting, Williamson, Youngblood, Mr. President—21.

The question then being, "Shall the Senate adopt the second amendment reported from the committee on revision?" it was decided in the negative.

Mr. Patterson offered the following amendment to the third amendment reported from the committee on revision, which was adopted:

Amend committee's amendment by striking out the words "and eight hundred," in the last line in such amendment.

The question being, "Shall the amendment reported from the committee as amended be adopted?" it was decided in the affirmative.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20, were adopted.

Mr. Castle offered the following amendment, which was adopted:

Amend section 21 by striking out the words "contained at the federal census of 1870," and insert the word "contains."

Section 21 as amended was adopted.

Section 22 was adopted.

The question then being, "Shall this bill be read a third time?" it was decided in the affirmative, and

The amendments were ordered printed.

Senate bill, No. 552, for "An act to appropriate money for the purchase of furniture and bedding for the Soldiers' Orphans' Home," was taken up for consideration by sections.

Sections 1 and 2 were adopted.

And the question then being, "Shall this bill be engrossed and printed for a third reading?" it was decided in the affirmative.

House bill, No. 757, for "An act to amend section thirty-one (31) of 'an act concerning corporations,' in force July 1, 1872," was taken up for consideration by sections.

Mr. Reynolds moved that the bill be recommitted to the committee on insurance.

The question then being, "Shall the bill be recommitted to the committee on insurance?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Patterson, Reynolds, Sanford, Shepard, Whiting—5.

Those voting in the negative are,

Messrs. Brooks, Burke, Casey, Castle, Cummings, Casey, Dow, Ferrell, Glenn, Green, Henry, Hundley, Lee, Palmer, Starnes, Steele, Strong, Thompson, Ware, Warren, Williamson, Youngblood—22.

On motion of Mr. Upton,

Senate bill, No. 478, for "An act to revise the law in relation to township insurance companies," with House amendments thereto, were referred to the joint committee on revision.

On motion of Mr. Upton,

Senate bill, No. 467, for "An act to revise the law in relation to paupers," with House amendments thereto, were referred to the joint committee on revision.

Section 1 of the bill was adopted.

The question then being, "Shall this bill be read a third time?" it was decided in the affirmative.

On motion of Mr. Starnes,

The vote whereby Senate bill, No. 612, for "An act to amend section 18 of an act entitled 'an act in regard to the assessment of property and the levy and collection of taxes by incorporated cities in this State,' approved April 15, 1873," was ordered referred to the committee on judiciary, was reconsidered.

The question then being, "Shall the bill be referred to the committee on judiciary?" it was decided in the negative, and

The bill was ordered on file by sections.

A message from the Governor, by Philo J. Beveridge, Private Sec'y:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, viz:

House bill, No. 231, for "An act to limit and determine the time for which counties, cities, townships, towns and precincts in this State shall be liable and holden to issue aid for the building of any railroad in pursuance of any vote taken in conformity to the laws of this State."

Senate bill, No. 524, for "An act to provide for the laying of water-supply pipe by bonds and special assessments, payable in installments."

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, to-wit:

House bill, No. 880, for "An act to amend sections six (6) and seven (7) of article four (4) of an act entitled 'an act to provide for the incorporation of cities and villages,' in force July 1, 1872."

In the passage of which I am instructed to ask the concurrence of the Senate.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and, on the 17th day of March, 1874, laid before the Governor for his approval, viz:

Senate bill, No. 524, for "An act to provide for the laying of water supply pipe by bonds and special assessment, payable in installments."

On motion of Mr. Cummings,

The Senate, at 5:25 o'clock P. M., adjourned.

WEDNESDAY, MARCH 18, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by the Rev. Mr. Waldo.

The journal of yesterday was being read, when,

On motion of Mr. Cummings,

The further reading of the same was dispensed with.

Mr. Steele, from the joint committee on revision, to which was referred Senate bill, No. 478, for "An act to revise the law in relation to township insurance companies," together with the following amendments adopted thereto by the House of Representatives:

Strike out in line 9, section 17, the words "five dollars, and one dollar for the certificate," and insert in line 8, after "examination," the words "and certificate," and after "pay," in line 9, add "one dollar."

Amend by adding the following section:

"§ 19. Any township insurance company formed under an act entitled 'An act to incorporate and govern mutual fire insurance companies in townships,' approved April 3, 1872, may, with the written consent of two-thirds of the members, accept the provision of this act, and thereupon shall be governed by its provisions. Before any such company shall be entitled to the benefits thereof the directors, or a majority of them, shall file with the Auditor of Public Accounts the declaration provided for in section 2 of this act."

Insert in section 8, line 1, between the words "barns" and "and," the words "and other farm buildings."

Reported the same back, and recommended that the Senate concur with the House of Representatives in the adoption of their amendments.

The question being, "Shall the Senate concur with the House of Representatives in the adoption of their amendments to the bill?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Casey, Castle, Cummings, Cusey, Dow, Ferrell, Hampton, Henry, Hundley, Jacobs, Kelly, Palmer, Reynolds, Shepard, Starne, Steele, Strong, Upton, Voria, Warren, Whiting, Wilcox, Williamson, Youngblood, Mr. President—27.

Mr. Steele, from the joint committee on revision, to which was referred Senate bill, No. 467, for "An act to revise the law in relation to

paupers," together with the following amendments of the House of Representatives thereto:

Strike out of line 2, section 3, the words "county agent, if any," and insert "State's attorney."

Add to line 4, section 3, after the word "support" the words "and prosecute the same."

In section 4, line 4, after the word "agent," insert "or State's attorneys."

Amend section 28, line 8, by striking out "ten" and inserting "three."

Strike out of line 7, section 29, the word "day," and insert "meeting of the county board."

Strike out the word "ten," in first line of section 35, and insert the word "twenty-five."

Reported the same back, with the recommendation that the Senate concur with the House of Representatives in the adoption of their amendments.

The question being, "Shall the Senate concur with the House of Representatives in the adoption of their amendments to the bill?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Casey, Castle, Cummings, Cusey, Ferrell, Green, Hampton, Henry, Hundley, Jacobs, Kelly, Palmer, Reynolds, Sanford, Shepard, Sterne, Steele, Strong, Upton, Voris, Warren, Whiting, Wilcox, Williamson, Youngblood, Mr. President—27.

Mr. Reynolds (by unanimous consent), from the committee on revision, to which was referred House bill, No. 603, for "An act to revise the law in relation to the department of agriculture, county agricultural boards and agricultural fairs," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

On motion of Mr. Cummings,

The amendments were ordered printed, and the bill ordered on file.

Mr. Sanford (by unanimous consent) called up House bill, No. 815, for "An act to extend the jurisdiction of county courts, and to provide for the practice thereof; to fix the time for holding the same, and to repeal an act therein named."

Which was read at large a second time, and ordered on file to be considered by sections, and,

On motion of Mr. Sanford,

The rules were suspended, and the bill was taken up for consideration by sections.

The pending question being, "Shall the Senate adopt the amendments to the bill reported from the committee on judicial department and apportionment?" it was decided in the affirmative.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 were adopted.

Mr. Voris offered the following amendment, which was adopted:

Amend section 20 by striking out the words "April and."

Section 20 as amended was adopted.

Sections 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30 were adopted.

Mr. Cummings offered the following amendment, which was adopted:

Strike out in section 31 the word "June."

Section 31 as amended was adopted.

Sections 32, 33, 34 and 35 were adopted.

Mr. Warren offered the following amendment, which was adopted:

Amend section 36 by striking out "March, June and October," and insert "April, July and December."

Section 36 as amended was adopted.

Mr. Ferrell offered the following amendment, which was adopted:

Amend section 37 by striking out the words "and July."

Section 37 as amended was adopted.

Mr. Warren offered the following amendment, which was adopted:

Amend section 38 by striking out "February," and inserting "April."

Section 38 as amended was adopted.

Sections 39, 40 and 41 were adopted.

Mr. Casey offered the following amendment, which was adopted:

Amend section 43 by striking out the words "June and December," and insert the words "January, June and November."

Section 43 as amended was adopted.

Sections 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55 and 56 were adopted.

Mr. Hampton offered the following amendment, which was adopted:

Amend section 57 by striking out "February, May, August and November," and insert "January and September."

Section 57 as amended was adopted.

Sections 58, 59 and 60 were adopted.

Mr. Burke offered the following amendment, which was adopted:

Amend section 61 by striking out "February and October."

Section 61 as amended was adopted.

Sections 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111 and 112 were adopted.

And the question then being, "Shall the bill be read a third time?" it was decided in the affirmative, and

The amendments were ordered printed.

The President announced the time for the consideration of the special order, being Senate bill, No. 579, for "An act to amend section 15 of an act entitled 'an act to regulate public warehouses and the warehousing and inspection of grain, and to give effect to article 13 of the constitution of this State,' approved April 25, 1871."

Mr. Whiting moved that the consideration of the bill be indefinitely postponed.

The question being, "Shall the further consideration of the bill be indefinitely postponed?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Castle, Ferrell, Green, Henry, Jacobs, Kelly, Patterson, Shepard, Strong, Ware, Whiting Wilcox—12.

Those voting in the negative are,

Messrs. Brooks, Burke, Casey, Cummings, Cusey, Dow, Hinchcliffe, Hurdley, Lee, Palmer, Reynolds, Starnes, Steele, Thompson, Upton, Voria, Warren, Williamson, Youngblood—19.

Mr. Whiting moved that the bill be recommitted to the committee on agriculture, with instructions to amend said bill, if found necessary, to require more accurate weighing of grain, and to properly and surely cancel grain receipts when grain is delivered.

Mr. Cummings moved that the previous question be ordered.

The question being, "Shall the main question be now put?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Casey, Cummings, Cusey, Dow, Hinchcliffe, Hundley, Lee, Palmer, Starna, Steele, Thompson, Upton, Voris, Warren, Wilcox, Williamson, Youngblood—18.

Those voting in the negative are,

Messrs. Burke, Castle, Ferrell, Green, Jacobs, Kelly, Patterson, Reynolds, Sanford, Shepard, Strong, Ware, Whiting—13.

The question being, "Shall the motion made by Mr. Whiting be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Castle, Ferrell, Green, Henry, Jacobs, Kelly, Patterson, Shepard, Strong, Ware, Whiting—11.

Those voting in the negative are,

Messrs. Brooks, Burke, Casey, Cummings, Cusey, Dow, Hinchcliffe, Hundley, Lee, Palmer, Reynolds, Sanford, Starna, Steele, Thompson, Upton, Voris, Warren, Wilcox, Williamson, Youngblood—21.

The question then being, "Shall the bill be engrossed and printed for a third reading?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Casey, Cummings, Cusey, Dow, Hinchcliffe, Hundley, Lee, Palmer, Reynolds, Sanford, Starna, Steele, Thompson, Upton, Voris, Warren, Williamson, Youngblood—19.

Those voting in the negative are,

Messrs. Burke, Castle, Ferrell, Green, Henry, Jacobs, Kelly, Patterson, Shepard, Strong, Ware, Whiting, Wilcox—13.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, to-wit:

House bill, No. 792, for "An act to authorize incorporated cities, towns or villages in this State, situated upon the banks of navigable rivers, to lease parts of their public landings or levees."

House bill, No. 831, for "An act to enable the corporate authorities now or hereafter incorporated under an act entitled 'an act to provide for the incorporation of cities and villages,' in force July 1, 1872, to acquire by purchase, lease or gift, establish, maintain, license and regulate ferries, bridges, the approaches thereto and tolls thereon."

House bill, No. 673, for "An act to amend section 13 of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' approved March 29, 1872."

House bill, No. 417, for "An act to limit the charges for feed of persons, companies or corporations doing stock yard or transit business."

House bill, No. 837, for "An act to amend 'an act in regard to gateways, roads and bridges in counties not under township organization,' approved April 18, 1873."

House bill, No. 762, for "An act to amend an act entitled 'an act in regard to roads and bridges in counties under township organization,' approved April 11, 1873."



House bill, No. 864, for "An act to amend an act entitled 'an act concerning circuit courts and to fix the time for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook,' approved May 2, 1873."

House bill, No. 832, for "An act to amend section 6, of article 6, of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, A. D. 1872, and in force July 1, A. D. 1872."

In the passage of which I am instructed to ask the concurrence of the Senate.

A message from the House of Representatives by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 442, for "An act to revise the law in relation to clerks of courts," with amendments thereto.

In the adoption of which amendments I am instructed to ask the concurrence of the Senate.

The President, at 11 o'clock A. M., announced the time for the consideration of the special order, being the consideration of Senate bill, No. 583, for "An act to appropriate \$60,000 to the city of Shawneetown, in liquidation of the legal and equitable liabilities of the State to said city of Shawneetown, growing out of the ninth article of the act of the General Assembly to incorporate the said city of Shawneetown, approved February 22, 1861," which, having been printed, was read at large a third time.

Pending debate on the same,

On motion of Mr. Cummings,

The Senate, at 12:07 o'clock P. M., adjourned until 2:30 o'clock P. M.

#### TWO-THIRTY O'CLOCK P. M.

Senate met, pursuant to adjournment.

The debate on the passage of Senate bill, No. 583, for "An act to appropriate \$60,000 to the city of Shawneetown, in liquidation of the legal and equitable liabilities of the State to said city of Shawneetown, growing out of the ninth article of the act of the General Assembly to incorporate the said city of Shawneetown, approved February 22, 1861," was resumed.

On motion of Mr. Starne,

A call of the Senate was ordered, when the following answered to their names:

Messrs. Brooks, Burke, Casey, Castle, Cummings, Casey, Dow, Ferrell, Green, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, Lee, McGrath, Palmer, Patterson, Reynolds, Sanford, Shepard, Starne, Steele, Thompson, Voris, Ware, Warren, Whiting, Youngblood, Mr. President—30.

On motion of Mr. Voris,

Further proceedings under the call were dispensed with.

On motion of Mr. Lee,

Leave of absence was granted Mr. Brown.

On motion of Mr. Glenn,

Leave of absence was granted Mr. Gundlach.

On motion of Mr. Dow,

Leave of absence was granted Mr. Waite.

On motion of Mr. Steele,

Leave of absence was granted Mr. Upton.

During the course of the debate on this bill, Mr. Youngblood having the floor,

Mr. Voris arose and said "I say that is an emphatic lie."

Mr. Strong called the gentleman to order and requested the language to be taken down by the Secretary; which was so ordered by the President.

On motion of Mr. Palmer,

The previous question was ordered.

The question then being, "Shall this bill pass?" it was decided in the negative.

Those voting in the affirmative are,

Messrs. Brooks, Burke, Casey, Cummings, Cusey, Dow, Ferrell, Henry, Hincholiffe, Lee, Palmer, Starna, Steele, Strong, Ware, Youngblood—16.

Those voting in the negative are,

Messrs. Green, Hampton, Hundley, Patterson, Reynolds, Sanford, Shepard, Voris, Warren, Whiting—10.

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, to-wit :

House bill, No. 852, for "An act to prevent fraud or fraudulent practices upon hotel keepers, boarding house keepers or inn keepers, and to provide a remedy therefor."

House bill, No. 108, for "An act to regulate the means of egress from public buildings."

House bill, No. 730, for "An act to amend an act entitled 'an act prevent extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to punish the same and prescribe a mode of procedure and rules of evidence in relation thereto,' and to repeal an act entitled 'an act to prevent unjust discriminations and extortions in the rates to be charged by the different railroads in this State for the transportation of freights on said roads,' approved April 7, A. D. 1871."

In the passage of which I am instructed to ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit :

Senate bill, No. 443, for "An act to revise the law in relation to the supreme court."

A message from the House of Representatives, by Mr. Johns -

Mr. President: I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, to-wit :

House bill, No. 712, for "An act to amend an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' in force July 1, 1872."

In the passage of which I am instructed to ask the concurrence of the Senate.

Mr. Casey, at 4:15 o'clock P. M., moved that the Senate adjourn.

The question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Casey, Cummings, Hinchcliffe, Lee, Palmer, Patterson, Shepard, Strong, Warren, Youngblood—11.

Those voting in the negative are,

Messrs. Burke, Castle, Cusey, Dow, Ferrell, Green, Hampton, Henry, Jacobs, Reynolds, Sanford, Starne, Steele, Voria, Ware, Whiting—16.

Mr. Cusey (by unanimous consent), from the committee on roads, highways and bridges, to which was referred Senate bill, No. 613, for "An act to amend sections 16 and 123 of an act entitled 'an act in regard to roads and bridges in counties under township organization,' approved April 11, 1873," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill was ordered on file for a second reading.

On motion of Mr. Cummings,

The Senate, at 4:20 o'clock P. M., adjourned.

THURSDAY, MARCH 19, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Waldo.

The journal of yesterday was being read, when,

On motion of Mr. Starne,

The further reading of the same was dispensed with.

Mr. Starne (by unanimous consent) offered the following resolution:

*Resolved by the Senate, the House of Representatives concurring herein, That there shall be submitted to the voters of this State, at the next general election, a proposition to amend section one (1), article nine (9), of the constitution of this State, entitled "Revenue," as follows:*

"The General Assembly shall have power to tax peddlers, auctioneers, brokers, hawkers, merchants, commission merchants, showmen, jugglers, innkeepers, liquor dealers, toll bridges, ferries, insurance, telegraph and express interests or business, vendors of patents, persons on their incomes, and persons or corporations owning or using franchises and privileges, in such manner as it shall, from time to time, direct by general law, uniform as to the class upon which it operates. And the General Assembly shall also have power to provide such further revenue as may be needful, by levying a tax by valuation, so that every person and corporation shall pay a tax in proportion to the value of his, her or its property, such value to be ascertained by some person or persons to be elected or appointed in such manner as the General Assembly shall direct, and not otherwise."

Mr. Starne moved to suspend the rules for the purpose of considering the resolution.

The question being, "Shall the rules be suspended for the purpose of considering the resolution?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Cummings, Glenn, Hinchcliffe, Hundley, Kehoe, Kelly, Lee, Palmer, Patterson, Starne, Voria, Ware, Youngblood—14.

Those voting in the negative are,

Messrs. Castle, Cusey, Dow, Green, Hampton, Henry, Jacobs, Sanford, Shepard, Strong, Warren, Whiting, Wilcox—13.

On motion of Mr. Waite,

The resolution was ordered printed.

Mr. Williamson made the following report :

*To the President of the Senate :*

The committee of conference appointed by the Senate and House of Representatives on the disagreeing votes of the two houses on amendment to Senate bill, No. 477, for "An act to revise the law in relation to toll bridges," beg leave to make the following report :

The committee recommend that the Senate concur in the amendment made to said bill by the House of Representatives.

All of which is respectfully submitted.

B. WOOD,  
C. DUNHAM,  
JAMES B. BRADWELL,  
*House Committee.*

R. S. WILLIAMSON,  
J. M. PATTERSON,  
S. P. CUMMINGS,  
*Senate Committee.*

The question being, "Shall the Senate agree to the foregoing report of the committee of conference on the bill?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Castle, Cummings, Cusey, Dow, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kelly, Palmer, Patterson, Sanford, Shepard, Starne, Strong, Upton, Voria, Waite, Warren, Whiting, Williamson, Mr. President—37.

Those voting in the negative are,

Messrs. Casey, Kehoe, Ware, Wilcox, Youngblood—5.

A message from the Governor, by Philo J. Beveridge, Private Secretary :

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, to-wit:

House bill, No. 306, for "An act to authorize courts of record in certain cases to order lands to be subdivided and platted."

House bill, No. 605, for "An act to revise the law in relation to limited partnerships."

House bill, No. 651, for "An act to revise the law in relation to promissory notes, bonds, due bills and other instruments in writing."

Mr. Williamson made the following report :

*To the President of the Senate :*

The committee of conference appointed by the Senate and House of Representatives on the disagreement of the two houses on amendments to Senate bill, No. 481, for "An act to revise the law in relation to toll roads," beg leave to make the following report :

The committee recommend that the Senate concur in the amendments made to said bill by the House of Representatives.

All of which is respectfully submitted.

B. WOOD,  
JAMES B. BRADWELL,  
C. DUNHAM,  
*House Committee.*

R. S. WILLIAMSON,  
J. M. PATTERSON,  
S. P. CUMMINGS,  
*Senate Committee.*

The question being, "Shall the Senate agree to the foregoing report of the committee of conference on the bill?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Castle, Cummings, Cusey, Dow, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Lee, Palmer, Patterson, Reynolds, Sanford, Shepard, Steele, Strong, Upton, Waite, Warren, Whiting, Wilcox, Williamson, Mr. President—27.

Those voting in the negative are,

Messrs. Casey, Kehoe, Kelly, Starnes, Ware, Youngblood—6.

Mr. Upton (by unanimous consent) called up Senate bill, No. 315, for "An act to revise the law in relation to mortgages of real and personal property;" which, having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 33, nays 1.

Those voting in the affirmative are,

Messrs. Brooks, Burke, Casey, Castle, Cummings, Dow, Ferrell, Glenn, Green, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, Palmer, Patterson, Reynolds, Sanford, Shepard, Starnes, Steele, Strong, Upton, Voris, Waite, Warren, Wilcox, Williamson, Youngblood, Mr. President—33.

Mr. Hampton voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed:

Senate bill, No. 596, for "An act in relation to gas works."

Senate bill, No. 483, for "An act to repeal certain acts therein named."

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, to-wit:

House bill, No. 838, for "An act to amend an act entitled 'an act to provide for the exercise of the right of eminent domain.'"

House bill, No. 705, for "An act to amend sections six (6), seven (7), nine (9), twenty-four (24), twenty-six (26) and fifty-three (53), of article nine (9), of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, 1872."

House bill, No. 794, for "An act concerning police magistrates, and to repeal an act therein named."

In the passage of which I am instructed to ask the concurrence of the Senate.

Senate bill, No. 449, for "An act to revise the law in relation to permitting animals to run at large," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 19, nays 13.

Those voting in the affirmative are,

Messrs. Brooks, Burke, Castle, Cusey, Dow, Glenn, Green, Henry, Hinchcliffe, McGrath, Patterson, Reynolds, Sanford, Shepard, Strong, Waite, Whiting, Wilcox, Williamson—19.

Those voting in the negative are,

Messrs. Casey, Hampton, Hundley, Kehoe, Kelly, Lee, Palmer, Starnes, Steele, Voris, Ware, Warren, Youngblood—13.

Mr. Palmer moved that the vote whereby Senate bill, No. 449, for "An act to revise the law in relation to permitting animals to run at large," was lost, be reconsidered.

The question being, "Shall the vote whereby the bill was lost be reconsidered?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Burke, Casey, Castle, Cummings, Cusey, Dow, Ferrell, Glenn, Green, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, McGrath, Palmer, Patterson, Reynolds, Sanford, Shepard, Starna, Steele, Strong, Waite, Whiting, Wilcox, Williamson, Youngblood, Mr. President—31.

On motion of Mr. Palmer,

It was ordered that this bill be recommitted to the committee on revision.

Mr. Upton (by unanimous consent) called up Senate bill, No. 455, for "An to revise the law in relation to husband and wife," for consideration.

The pending question being, "Shall the Senate adopt the amendments to the bill reported from the joint committee on revision?" it was decided in the affirmative.

The question then being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

On motion of Mr. Upton,

The rules were suspended, and House bill, No. 608, for "An act to revise the law in relation to attorneys and counselors," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 4.

Those voting in the affirmative are,

Messrs. Brooks, Casey, Castle, Cummings, Dow, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Lee, Palmer, Patterson, Reynolds, Sanford, Shepard, Starna, Strong, Upton, Ware, Warren, Whiting, Wilcox, Williamson, Youngblood, Mr. President—29.

Those voting in the negative are,

Messrs. Cusey, Kehoe, Kelly, McGrath—4.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Upton,

The rules were suspended, and Senate bill, No. 483, for "An act to repeal certain acts therein named," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 27, nays 0.

Those voting in the affirmative are,

Messrs. Brooks, Cummings, Dow, Glenn, Green, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, McGrath, Palmer, Reynolds, Sanford, Shepard, Starna, Steele, Strong, Upton, Ware, Warren, Whiting, Wilcox, Williamson, Mr. President—27.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Upton,

The rules were suspended, and House bill, No. 650, for "An act to revise the law in relation to plats," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 31, nays 0.

Those voting in the affirmative are,

Messrs. Brooks, Casey, Castle, Cummings, Cusey, Dow, Ferrell, Green, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, McGrath, Palmer, Patterson, Reynolds, Sanford, Shepard, Starna, Steele, Strong, Upton, Ware, Warren, Whiting, Wilcox, Youngblood, Mr. President—31.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

House bill, No. 639, for "An act to revise the law in relation to fences," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 35, nays 1.

Those voting in the affirmative are,

Messrs. Brooks, Burke, Canfield, Casey, Castle, Cummings, Cusey, Dow, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, McGrath, Palmer, Patterson, Reynolds, Sanford, Shepard, Sterne, Steele, Strong, Upton, Waite, Warren, Whiting, Wilcox, Williamson, Youngblood, Mr. President—35.

Mr. Ware voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Burke moved to reconsider the vote whereby House bill, No. 639, for "An act to revise the law in relation to fences," was passed.

On motion of Mr. Ferrell,

The motion to reconsider was ordered to lie on the table.

House bill, No. 606, for "An act to revise the law in relation to attachments of boats, vessels and rafts," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 28, nays 0.

Those voting in the affirmative are,

Messrs. Brooks, Casey, Castle, Cummings, Cusey, Dow, Ferrell, Green, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Palmer, Patterson, Reynolds, Sanford, Shepard, Steele, Strong, Upton, Voria, Whiting, Wilcox, Williamson, Youngblood, Mr. President—28.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Cummings,

The Senate, at 12:20 o'clock P. M., adjourned until 2:30 o'clock P. M.

## TWO-THIRTY O'CLOCK P. M.

Senate met, pursuant to adjournment.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed, viz:

Senate bill, No. 190, for "An act to extend the jurisdiction of constables in incorporated towns and cities."

Senate bill, No. 458, for "An act to revise the law in relation to licenses."

Senate bill, No. 538, for "An act to amend section 54, of article 9, of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, 1872."

Senate bill, No. 552, for "An act to appropriate money for the purchase of furniture and bedding for the Illinois Soldiers' Orphans' Home."

Senate bill, No. 554, for "An act to make the schedules prepared and published by the Railroad and Warehouse Commission *prima facie* evidence in the several courts of this State."

Senate bill, No. 584, for "An act to enable the board of supervisors of Lawrence county to acquire title to the south part of the southwest  $\frac{1}{4}$  of section No. 3, town 2 north, range 11 west, 73 acres, and to hold and dispose of the same for the use of the pauper fund of said county."

Senate bill, No. 608, for "An act to amend section 92 of an act entitled 'an act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872."

Senate bill, No. 455, for "An act to revise the law in relation to husband and wife."

On motion of Mr. Youngblood,

The rules were suspended, and House bill, No. 716, for "An act providing for trial of rights of property in certain cases before the county court," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 26, nays 6.

Those voting in the affirmative are,

Messrs. Brooks, Casey, Castle, Cummings, Cusey, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Hundley, Kehoe, Kelly, McGrath, Palmer, Reynolds, Starnes, Strong, Upton, Ware, Warren, Whiting, Wilcox, Youngblood, Mr. President—26.

Those voting in the negative are,

Messrs. Jacobs, Patterson, Sanford, Shepard, Voris, Waite—6.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and on the 19th day of March, 1874, laid before the Governor for his approval, viz :

Senate bill, No. 492, for "An act in regard to horse and dummy railroads."

On motion of Mr. Upton,

The rules were suspended, and House bill, No. 654, for "An act to amend an act entitled 'an act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 0.

Those voting in the affirmative are,

Messrs. Brooks, Burke, Casey, Castle, Cummings, Cusey, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Palmer, Patterson, Reynolds, Sanford, Shepard, Steele, Strong, Upton, Waite, Ware, Whiting, Wilcox, Mr. President—29.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Upton,

The rules were suspended, and Senate bill, No. 455, for "An act to revise the law in relation to husband and wife," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 8.

Those voting in the affirmative are,

Messrs. Burke, Castle, Cummings, Cusey, Dow, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, Kelly, Lee, McGrath, Palmer, Patterson, Reynolds, Sanford, Shepard, Starnes, Steele, Strong, Upton, Voris, Waite, Whiting, Wilcox, Williamson, Youngblood, Mr. President—29.

Those voting in the negative are,

Messrs. Brooks, Casey, Ferrell, Glenn, Green, Hundley, Ware, Warren—8.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Steele,

The rules were suspended, and Senate bill, No. 596, for "An act in relation to gas companies," having been printed, was read at large a third time.



And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 30, nays 1.

Those voting in the affirmative are,

Messrs. Brooks, Burke, Casey, Castle, Cummings, Cusey, Dow, Glenn, Henry, Hinchcliffe, Jacobs, Kehoe, Kelly, Lee, McGrath, Palmer, Reynolds, Sanford, Shepard, Starne, Steele, Strong, Voria, Waite, Ware, Warren, Wilcox, Williamson, Youngblood, Mr. President—30.

Mr. Ferrell voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Cusey (by unanimous consent) called up Senate bill, No. 614, for "An act making an appropriation for the payment of the claim of A. Paine, for binding the first and second volumes of the report of the geological survey of Illinois," for consideration by sections.

Sections 1 and 2 were adopted.

The question then being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Sanford (by unanimous consent,) called up House bill, No. 856, for "An act to enable library associations to sell and transfer their real and personal property," for consideration by sections.

The pending question being, "Shall the Senate adopt the amendments reported from the committee on education?" it was decided in the affirmative.

Sections 1 and 2 were adopted.

The question then being, "Shall the bill be read a third time?" it was decided in the affirmative, and

The amendments were ordered printed.

The President announced the time for the consideration of the special order, being Senate bill, No. 577, for "An act to amend sections 1, 2, 4, 7, 9 and 12, of an act entitled 'an act for the registry of electors and to prevent fraudulent voting,' approved February 15, 1865, and to repeal section ten of said act."

The pending question being on the motion made by Mr. Reynolds, to reconsider the vote whereby the amendment offered by Mr. Casey was adopted, on the 17th ultimo,

On motion of Mr. Palmer,

The previous question was ordered.

The question being, "Shall the vote whereby the amendment offered by Mr. Casey was adopted, be reconsidered?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Castle, Cusey, Dow, Ferrell, Green, Hampton, Henry, Palmer, Patterson, Reynolds, Sanford, Shepard, Steele, Strong, Upton, Waite, Whiting, Wilcox, Williamson, Mr. President—20.

Those voting in the negative are,

Messrs. Brooks, Burke, Casey, Cummings, Glenn, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Starne, Voria, Ware, Warren, Youngblood—17.

The question then being, "Shall the amendment offered by Mr. Casey be adopted?" and the yeas and nays being demanded, it was decided in the negative, by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Burke, Casey, Cummings, Glenn, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, McGrath, Starne, Strong, Voria, Ware, Warren, Youngblood—18.

Those voting in the negative are,

Messrs. Castle, Cusey, Dow, Ferrell, Green, Hampton, Henry, Palmer, Patterson, Reynolds, Sanford, Shepard, Steele, Upton, Waite, Whiting, Wilcox, Williamson, Mr. President—19.

Mr. Starne offered the following amendment:

Amend line 2, paragraph —, by adding after the word "known" the words "to them."

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Burke, Casey, Cummings, Glenn, Hinchcliffe, Hundley, Kehoe, Kelly, Palmer, Starne, Strong, Voris, Ware, Warren, Youngblood—16.

Those voting in the negative are,

Messrs. Cusey, Dow, Ferrell, Green, Hampton, Henry, Jacobs, McGrath, Patterson, Reynolds, Sanford, Shepard, Steele, Waite, Whiting, Wilcox, Williamson, Mr. President—18.

Mr. Starne offered the following amendment, which was lost:

Strike out of line 24, in division 2, the word "one," after the word "by," and insert "each."

Mr. Steele offered the following amendment:

Amend sixth paragraph (amending section 12) by striking out of line 2, of printed bill, the words "two dollars," and inserting in place thereof the words "one dollar."

The question being, "Shall this amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Casey, Castle, Ferrell, Henry, Jacobs, Palmer, Reynolds, Shepard, Steele, Strong, Upton, Waite, Youngblood—14.

Those voting in the negative are,

Messrs. Burke, Cummings, Cusey, Glenn, Green, Hampton, Hinchcliffe, Hundley, Kehoe, Kelly, Lee, McGrath, Patterson, Sanford, Starne, Voris, Warren, Whiting, Wilcox, Williamson, Mr. President—21.

Section 1 was adopted.

Mr. Lee offered the following amendment:

Amend section 2, by inserting after the word "act" the following: "And all acts and parts of acts in relation to registration and voting at any city election in any of the cities in this State, and inconsistent with the provisions of the above entitled act;" and, also, by striking out the word "is" and insert the word "are."

The question being, "Shall this amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Burke, Castle, Cummings, Glenn, Hinchcliffe, Hundley, Kehoe, Kelly, Lee, McGrath, Palmer, Starne, Strong, Warren, Youngblood—16.

Those voting in the negative are,

Messrs. Cusey, Dow, Ferrell, Green, Gundlach, Hampton, Jacobs, Patterson, Reynolds, Sanford, Shepard, Steele, Upton, Waite, Whiting, Wilcox, Mr. President—16.

The pending question then being, "Shall the bill be engrossed and printed for a third reading?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Cusey, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, Kelly, Patterson, Reynolds, Sanford, Shepard, Strong, Upton, Waite, Whiting, Wilcox, Youngblood, Mr. President—22.

Those voting in the negative are,

Messrs. Burke, Castle, Cummings, Hundley, McGrath, Starne, Ware, Warren—8.

The President announced the time for the special order, being Senate bill, No. 560, for "An act to protect colored children in their rights to attend public schools;" which, having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 26, nays 6.

Those voting in the affirmative are,

Messrs. Castle, Cusey, Dow, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, McGrath, Palmer, Patterson, Reynolds, Sanford, Shepard, Steele, Strong, Upton, Waite, Whiting, Wilcox, Williamson, Youngblood, Mr. President—26.

Those voting in the negative are,

Messrs. Brooks, Burke, Hundley, Kelly, Lee, Warren—6.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Steele made the following report:

TO HON. JOHN EARLY,

*President of the Senate:*

The committee of conference appointed by the House and Senate to consider certain amendments proposed by the House of Representatives to Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," have had the amendments on which the House and Senate disagreed under consideration, and recommend that the Senate recede from its action refusing to concur with the House in adding the new section between sections 240 and 241, with reference to the sale of certain metals and articles marked with the initials of the railroads owning them. Also, that the Senate adhere to its action in refusing to concur with the House amendment striking out, in line 3, section 11, division 14, the words "robbery, burglary and arson," and inserting the word "or" after the word "manslaughter."

JAMES SHAW,  
C. DUNHAM,  
JAMES HARRINGTON,  
*House Committee.*

C. B. STEELE,  
GEORGE W. HENRY,  
*Senate Committee.*

The question being, "Shall the Senate agree to the foregoing report of the committee of conference on the bill?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Castle, Cummings, Cusey, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Kehoe, Kelly, Lee, McGrath, Palmer, Reynolds, Sanford, Starue, Steele, Strong, Upton, Ware, Warren, Whiting, Wilcox, Williamson, Youngblood, Mr. President—28.

The President announced the time for the consideration of the special order, being House bill, No. 305, for "An act to define monopolies in the internal trade and commerce of this State, and discourage the formation and continuance thereof."

On motion of Mr. Hampton,

The further consideration of the special order was postponed until Friday, March 20, 1874, at 10:30 o'clock A. M.

On motion of Mr. Hampton,

The rules were suspended for the purpose of considering Senate bill, No. 600, for "An act to provide for the publication of the Revised Statutes of the State," by sections.

The amendments reported from the committee on judiciary to the bill being in order for consideration,

Mr. Casey moved that the further consideration of the bill and pending amendments be postponed to and made the special order for Friday, March 20 A. D. 1874, at 10 o'clock A. M.

The question being, "Shall this bill be postponed?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Burke, Casey, Glenn, Hinchcliffe, Handley, Kehoe, Lee, Strong, Warren, Youngblood—10.

Those voting in the negative are,

Messrs. Cummings, Cusey, Dow, Ferrell, Green, Hampton, Henry, Jacobs, Kelly, Palmer, Patterson, Reynolds, Sanford, Shepard, Steele, Upton, Waite, Ware, Whiting, Wilcox, Williamson, Mr. President—21.

Mr. Lee moved that the further consideration of the bill be indefinitely postponed.

The question being, "Shall the further consideration of the bill be indefinitely postponed?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Burke, Casey, Hinchcliffe, Handley, Kehoe, Lee, Strong, Warren—8.

Those voting in the negative are,

Messrs. Cummings, Cusey, Dow, Ferrell, Green, Hampton, Henry, Jacobs, Kelly, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starnes, Steele, Upton, Waite, Ware, Whiting, Wilcox, Williamson, Mr. President—21.

Mr. Cummings offered the following amendment to the amendments reported from the committee on judiciary, to the bill, which was adopted:

Strike out in amendments to section 5, line 6, the words "two dollars," and insert the words "one dollar, ninety cents."

Mr. Casey offered the following amendment to the report of the committee:

Amend the third amendment by adding the following: "Including the compiling, editing and annotating of said volume, and all other costs."

On motion of Mr. Reynolds,

Debate was ordered closed on the amendment offered by Mr. Casey.

The question being, "Shall the amendment offered by Mr. Casey be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Casey, Castle, Glenn, Hinchcliffe, Handley, Kehoe, Kelly, Lee, Starnes, Strong, Ware, Youngblood—12.

Those voting in the negative are,

Messrs. Cummings, Cusey, Dow, Ferrell, Green, Hampton, Henry, Jacobs, Palmer, Patterson, Reynolds, Sanford, Shepard, Steele, Upton, Voria, Waite, Wilcox, Williamson, Mr. President—20.

Mr. Strong offered the following amendment, which was adopted:

Strike out all of section 11, committee's amendment, after the word "law," in line 7, and insert: "The session laws of the 28th General Assembly shall not be published except as herein provided."

And the question then being, "Shall the amendments reported from the committee on education, as amended, be adopted?" it was decided in the affirmative.

Section 1 as amended by the committee, was adopted.

Section 2 was adopted.

Mr. Sanford offered the following amendment:

Amend section 3 by filling the blank therein with the words "two thousand."

Pending the consideration of the amendment offered by Mr. Sanford to the bill,

Mr. Lee, at 5:50 o'clock P. M., moved that the Senate adjourn, and that the further consideration of the pending bill and amendment be postponed to and made the special order for Friday, March 20, 1874, at 10 o'clock A. M.; which motion was decided in the affirmative.

FRIDAY, MARCH 20, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Waldo.

The journal of yesterday was being read, when,

On motion of Mr. Henry,

The further reading of the same was dispensed with.

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred in the report of the committee of conference on House amendments to Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence," recommending that the House adhere to the amendment adding the new section between sections 240 and 241, in regard to the sale of metals used for certain railroad purposes and marked with the initials of the company owning them; and that the House recede from its amendment proposing to strike out in section 11, line 3, division 14, the words "robbery, burglary and arson," and inserting the word "or" after the word "manslaughter."

Mr. Kelly (by unanimous consent) called up House bill, No. 792, for "An act to authorize incorporated cities, towns or villages in this State situated upon the banks of navigable rivers to lease parts of their public landings on levees."

Which was read at large a first time, ordered to a second reading, and,

On motion of Mr. Kelly,

Referred to the committee on municipalities.

Mr. Whiting (by unanimous consent) called up House bill, No. 730, for "An act to amend an act entitled 'an act to prevent extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to punish the same, and prescribe a mode of procedure and rules of evidence in relation thereto,' and to repeal an act entitled 'an act to prevent unjust discriminations and extortions in the rates to be charged by the different railroads in this State for the transportation of freights on said roads,' approved April 7, A. D. 1871."

Which was read at large a first time, and ordered to a second reading.

Mr. Warren (by unanimous consent) called up House bill, No. 417, for "An act to limit the charges for feed of persons, companies or corporations doing stock yard or transit business."

Which was read at large a first time, ordered to a second reading, and,

On motion of Mr. Warren,

Referred to the committee on agriculture and drainage.

Mr. Sanford made the following report:

*To the President of the Senate, and*

*The Speaker of the House of Representatives:*

The undersigned, joint committee of conference appointed by the Senate and House of Representatives on the disagreement of the two houses

on the amendment made by the Senate to House bill, No. 685, for "An act to revise the law in relation to escheats," beg leave to make the following report, viz :

That the House concur in the Senate amendment striking out section 8 of said act.

Most respectfully submitted.

P. A. ARMSTRONG,  
M. HAY,  
JOHN POLLOCK,  
*House Committee.*

P. H. SANFORD,  
W. H. SHEPARD,  
JESSE WARE,  
*Senate Committee.*

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly engrossed :

Senate bill, No. 614, for "An act making an appropriation for the payment of the claim of A. Paine for binding the first and second volumes of the report of the geological survey of Illinois."

Mr. Dow (by unanimous consent), from the committee on elections, to which was referred Senate bill, No. 439, for "An act to repeal section 25 of an act entitled 'an act in regard to elections, and to provide for filling vacancies in elective offices,' approved April 3, 1872, reported the same back and recommended that it do not pass and that it lie on the table.

The report of the committee was concurred in, and the bill was ordered to lie on the table.

Mr. Dow (by unanimous consent) from the committee on elections, to which was referred Senate bill, No. 545, for "An act to repeal an act entitled 'an act for the registry of electors and to prevent fraudulent voting,' approved February 18, 1865," reported the same back and recommended that it do not pass and that it lie on the table.

And the question being, "Shall this bill lie on the table?" and the yeas and nays being demanded, it was decided in the negative by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Cusey, Dow, Ferrell, Green, Hampton, Henry, McGrath, Patterson, Reynolds, Sanford, Shepard, Steele, Waite, Whiting, Wilcox, Williamson, Mr. President—18.

Those voting in the negative are,

Messrs. Archer, Brooks, Burke, Casey, Castle, Cummings, Glenn, Hinchcliffe, Hundley, Jacobs, Kehoe, Kelly, Lee, Palmer, Starnes, Strong, Ware, Warren, Youngblood—19.

And the bill was ordered on file for a second reading.

Mr. Waite called up the motion entered by him on March 20, 1873, to reconsider the vote whereby Senate bill, No. 262, for "An act concerning the removal of city officers, conferring additional powers and duties upon mayors of cities, and concerning ordinances passed therein," was lost,

The question then being, "Shall the said vote whereby the bill was lost, be reconsidered?" it was decided in the affirmative, by the following vote :

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Casey, Castle, Cusey, Dow, Glenn, Green, Henry, Jacobs, Kehoe, Kelly, Lee, McGrath, Palmer, Patterson, Reynolds, Sanford, Starnes, Steele, Waite, Warren, Whiting, Williamson, Youngblood, Mr. President—28.

Those voting in the negative are,

Messrs. Ferrell, Hampton, Hundley, Shepard, Strong, Wilcox—4.

On motion of Mr. Waite,

The bill was re-committed to the committee on municipalities.

Mr. Strong (by unanimous consent), from the committee on printing, to which was referred Senate bill, No. 311, for "An act to provide for and regulate public printing," reported the same back and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Strong (by unanimous consent), from the committee on printing, to which was referred Senate bill, No. 390, for "An act to provide for the daily publication of the journals of the two houses of the General Assembly," reported the same back and recommended that it do not pass, and that the bill lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Strong (by unanimous consent), from the committee on printing, to which was referred Senate bill, No. 581, for "An act to provide for the compiling, publication and distribution of the statutes of the State," reported the same back, and recommended that it do not pass, and that it lie on the table.

The report of the committee was concurred in, and the bill ordered to lie on the table.

Mr. Shepard (by unanimous consent), from the committee on appropriations, to which was referred Senate bill, No. 606, for "An act to provide for the compiling, publication and distribution of the statutes of the State," reported the same back, and recommended that it do not pass and that it lie on the table.

And the question being, "Shall the bill lie on the table?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Cusey, Ferrell, Green, Hampton, Jacobs, Patterson, Reynolds, Sanford, Shepard Steele, Waite, Whiting, Wilcox, Williamson—15.

Those voting in the negative are,

Messrs. Aroher, Brooka, Burke, Casey, Castle, Cummings, Glenn, Hinchliffe, Hundley, Kehoe, Kelly, Lee, McGrath, Starne, Strong, Ware, Youngblood—17.

And the bill was ordered on file to be considered by sections.

Mr. Strong made the following report:

The joint committee of the Senate and House of Representatives, to which was referred Senate bill No. 459, beg leave to report the following:

*First*—That the Senate concur in the House amendments to section 2, by inserting in line 11, before the words "suitable and competent person," the words "county surveyor or other."

*Second*—That the House amend their additional section by striking out the words "of," "exceeding," and "one thousand dollars, nor less," in line 3; also by striking out the words "than one," in line 4, and inserting the words "to exceed," after the word "not," in line 3; and in line 4, before the word "hundred," insert the word "five," so that it will read (the section) as follows:

"Whoever shall willfully trespass upon the land of another by mining thereon, shall, in addition to the damages now authorized by law, be liable to a penalty not to exceed five hundred dollars, which may be

recovered in an action of debt by the owner thereof, in any court of competent jurisdiction."

GEO. W. ARMSTRONG,  
A. M. JONES,  
JOHN THOMAS,  
*House Committee.*

J. C. STRONG,  
H. GREEN,  
A. STARNE,  
*Senate Committee.*

Mr. Steele (by unanimous consent), from the committee on revision, to which was referred Senate bill, No. 449, for "An act to revise the law in relation to permitting animals to run at large," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

The report of the committee was concurred in, the amendments adopted, and the bill was ordered to be engrossed and printed for a third reading.

The President announced the time for the consideration of the special order, being Senate bill, No. 600, for "An act to provide for the publication of the Revised Statutes of the State," with the pending amendments thereto, offered by Mr. Sanford.

The question being, "Shall the amendment offered by Mr. Sanford be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Dow, Green, Hampton, Jacobs, Patterson, Reynolds, Sanford, Shepard, Steele, Waite, Williamson—12.

Those voting in the negative are,

Messrs. Archer, Brooks, Burke, Casey, Castle, Cummings, Cusey, Ferrell, Glenn, Hinchcliffe, Hundley, Kehoe, Kelly, Lee, McGrath, Murphy, Palmer, Starne, Strong, Ware, Warren, Whiting, Youngblood—21.

Mr. Hampton offered the following amendment:

Amend by filling blank with "fifteen hundred."

On motion of Mr. Wilcox,

Debate on the pending amendment was ordered closed.

The question being, "Shall the amendment, offered by Mr. Hampton, be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Cusey, Dow, Ferrell, Green, Hampton, Henry, Jacobs, Patterson, Reynolds, Sanford, Shepard, Steele, Upton, Waite, Whiting, Wilcox, Williamson, Mr. President—19.

Those voting in the negative are,

Messrs. Archer, Brooks, Burke, Casey, Castle, Cummings, Glenn, Hinchcliffe, Kehoe, Lee, McGrath, Nicholson, Palmer, Starne, Strong, Voris, Ware, Warren, Youngblood—19.

Mr. Hinchcliffe offered the following amendment:

Amend by inserting "one thousand" in the blank.

The question being, "Shall the amendment, offered by Mr. Hinchcliffe, be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Cummings, Dow, Green, Hampton, Henry, Jacobs, Kelly, McGrath, Patterson, Sanford, Shepard, Waite, Warren, Wilcox—15.

Those voting in the negative are,

Messrs. Archer, Brooks, Burke, Casey, Castle, Cusey, Glenn, Hinchcliffe, Kehoe, Lee, Palmer, Starne, Steele, Strong, Voris, Ware, Whiting, Youngblood—19.

Mr. Whiting offered the following amendment:



Amend by filling blank with the words "twelve hundred and fifty."

The question being, "Shall the amendment, offered by Mr. Whiting, be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Cummings, Cusey, Dow, Ferrell, Green, Hampton, Henry, Jacobs, Kelly, McGrath, Patterson, Reynolds, Sanford, Shepard, Steele, Upton, Waite, Warren, Whiting, Williamson, Mr. President—23.

Those voting in the negative are,

Messrs. Brooks, Burke, Casey, Castle, Glenn, Hinchcliffe, Kehoe, Lee, Murphy, Palmer, Starnes, Strong, Voris, Ware, Youngblood—15.

Section 3 as amended, and section 4, were adopted.

Mr. Casey offered the following amendment:

Amend section 5 by striking out all after the word "provided," contained in the 4, 5, 6, and 7 lines, and insert the following: "It shall be unlawful for the contractor for the State printing to print any more or a greater number of the Revised Statutes than the number required under this act to be printed and delivered to the Secretary of State."

On motion of Mr. Cummings,

Debate on the pending amendment was ordered closed.

The question being, "Shall the amendment, offered by Mr. Casey, be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Burke, Casey, Castle, Hinchcliffe, Hundley, Kehoe, Lee, Murphy, Youngblood—10.

Those voting in the negative are,

Messrs. Baldwin, Cummings, Cusey, Dow, Ferrell, Green, Hampton, Henry, Jacobs, Kelly, McGrath, Palmer, Patterson, Reynolds, Sanford, Shepard, Steele, Strong, Upton, Waite, Ware, Warren, Whiting, Williamson, Mr. President—25.

Sections 5 and 6 as amended were adopted.

Mr. Hampton offered the following amendment, which was adopted:

Amend section 7, line 2, (printed bill) by striking out the word "Governor" and inserting "State Treasurer;" and add after the word "bidder," in line 5, "which contract shall be subject to the approval of the Governor."

Mr. Strong offered the following amendment, which was lost:

Amend section 7, by inserting after the words "for bids," in line 4, the words "for furnishing 675 reams of 28x42 super-calendered book paper, of the weight of 50 pounds to the ream, and;" also, by forming the plural of the word "contract" in line 4; also, strike out the word "same," in line 6, and insert the words "said volume."

Mr. Lee offered the following amendment:

Amend section 8 by striking out all after the word "State," in line 11.

The question being, "Shall this amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Burke, Casey, Castle, Dow, Glenn, Green, Hampton, Hinchcliffe, Jacobs, Lee, Murphy, Palmer, Patterson, Reynolds, Shepard, Starnes, Steele, Upton, Waite, Ware, Whiting, Youngblood, Mr. President—24.

Those voting in the negative are,

Messrs. Cummings, Cusey, Ferrell, Hundley, Kelly, McGrath, Sanford, Strong, Voris, Warren—10.

Section 7 as amended, section 8, section 9 as amended, and section 10, were adopted.

Pending the further consideration of the bill,

On motion of Mr. Casey,

The Senate, at 12:30 o'clock P. M., adjourned until 2:30 o'clock P. M.

## TWO-THIRTY O'CLOCK P. M.

The Senate met, pursuant to adjournment.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed :

Senate bill, No. 593, for "An act to amend section No. 8 of an act entitled 'an act to provide for annexing and excluding territory to and from cities, towns and villages, and to unite cities, towns and villages.'"

Senate bill, No. 595, for "An act to revise the law in relation to Soldiers' Orphans' Home."

Mr. McGrath, (by unanimous consent) from the committee on municipalities, to which was referred House bill, No. 792, for "An act to authorize incorporated cities towns and villages in this State, situated upon the banks of navigable rivers, to lease parts of their public land ing or levees," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill was ordered on file for a second reading.

The consideration of Senate bill, No. 600, for "An act to provide for the publication of the Revised Statutes of the State," which was pending at the time of the last adjournment, was resumed.

Mr. Hinchcliffe moved that the bill be recommitted to the committee on printing; which motion was decided in the negative.

On motion of Mr. Baldwin,

The vote whereby the amendments reported from the committee on judiciary were adopted on yesterday, was reconsidered.

Mr. Baldwin offered the following amendment to the amendments reported from the committee on judiciary :

Amend committee's report by striking out all after the words "section 4," in line 1 of the amendment, to section 4, and including the word "also," in line 2.

On motion of Mr. Sanford,

Debate was ordered closed on the pending amendment.

The question being, "Shall the amendment, offered by Mr. Baldwin, be adopted ?" it was decided in the affirmative.

The question then being, "Shall the amendments, reported from the committee on judiciary, as amended, be adopted ?" it was decided in the affirmative.

Mr. Sanford moved that the main question be now put.

The question then being, "Shall the main question be now put ?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Cummings, Cusey, Dow, Ferrell, Green, Hampton, Henry, Jacobs, McGrath, Patterson, Reynolds, Sanford, Shepard, Steele, Upton, Whiting, Williamson, Mr. President—19.

Those voting in the negative are,

Messrs. Burke, Casey, Castle, Hinchcliffe, Hundley, Kehoe, Lee, Murphy, Starnes, Strong, Voria, Ware, Warren, Youngblood—14.

The question then being, "Shall the bill be engrossed and printed for a third reading ?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Cummings, Cusey, Dow, Ferrell, Green, Hampton, Henry, Jacobs, McGrath, Patterson, Reynolds, Sanford, Shepard, Steele, Upton, Voria, Walte, Whiting, Williamson, Mr. President—21.

Those voting in the negative are,

Messrs. Brooks, Burke, Casey, Castle, Hinchcliffe, Hundley, Kehoe, Lee, Murphy, Starnes, Strong, Ware, Warren, Youngblood—14.

Mr. Cummings (by unanimous consent) called up House bill, No. 763, for "An act to amend section thirty-five of an act entitled 'an act to establish and maintain a system of free schools,' approved April 1, 1872;" which, having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 2.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Castle, Cummings, Cusey, Dow, Ferrell, Green, Hampton Henry, Hundley, Jacobs, Kehoe, Lee, McGrath, Murphy, Palmer, Reynolds, Sanford, Shepard, Strong, Upton, Waite, Ware, Warren, Whiting, Williamson, Youngblood, Mr. President—29.

Messrs. Casey and Hinchcliffe voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The President announced the time for the consideration of the special order, being House bill, No. 305, for "An act to define monopolies in the internal trade and commerce of this State, and discourage the formation and continuance thereof."

Mr. Lee moved to recommit the bill to the committee on judiciary.

The question being, "Shall this bill be so recommitted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Burke, Casey, Cummings, Dow, Ferrell, Henry, Hinchcliffe, Kehoe, Lee, Murphy, Reynolds, Sanford, Starnes, Upton, Voris, Waite, Ware, Warren, Youngblood—20.

Those voting in the negative are,

Messrs. Baldwin, Castle, Cusey, Green, Hampton, McGrath, Palmer, Patterson, Shepard, Strong, Whiting, Williamson—12.

On motion of Mr. Ferrell,

The rules were suspended, and House bill, No. 815, for "An act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," was taken up for a third reading.

Mr. Murphy (by unanimous consent) offered the following amendment, which was adopted:

Amend section 81 by striking out the words "November and."

House bill, No. 815, for "An act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 33, nays 1.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Castle, Cummings, Cusey, Dow, Ferrell, Green, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Lee, McGrath, Murphy, Palmer, Patterson, Reynolds, Sanford, Shepard, Steele, Strong, Upton, Voris, Waite, Ware, Warren, Whiting, Williamson, Youngblood, Mr. President—33.

Mr. Casey voted in the negative.

Mr. Sanford offered the following amendment to the title of the bill, which was adopted:

Amend the title of the bill so that the same shall read as follows:

A bill for "An act to revise the law in relation to county courts."

Ordered that the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein,

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has agreed to the report of the committee of conference on House amendments to Senate bill, No. 481, for "An act to revise the law in relation to toll roads."

Also, that the House of Representatives has agreed to the report of the committee of conference on House amendments to Senate bill, No. 477, for "An act to revise the law in relation to toll bridges."

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit :

Senate bill, No. 575, for "An act to set off from incorporated towns certain territory which, by the county board, has been formed into a new town or part thereof," with an amendment thereto, and also an amendment to the title.

In the adoption of which amendments I am instructed to ask the concurrence of the Senate.

On motion of Mr. Cummings,

The rules were suspended, and the order of Senate bills on third reading were ordered taken up.

Senate bill, No. 561, for "An act to amend section 3 of an act entitled 'an act concerning corporations,' approved April 18, 1872, in force July 1, 1872," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 8, nays 19.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Casey, Hinchcliffe, Kehoe, Strong, Ware, Whiting—8.

Those voting in the negative are,

Messrs. Castle, Cummings, Cusey, Dow, Green, Hampton, Henry, Hundley, Jacobs, Palmer, Patterson, Reynolds, Sanford, Shepard, Starne, Steele, Waite, Warren, Williamson—19.

Senate bill, No. 505, for "An act to amend an act entitled 'an act to organize and regulate the business of life insurance,' " having been printed, was read at large a third time.

Mr. Murphy moved that the bill be recommitted to the committee on judiciary; which motion was decided in the negative.

Mr. Murphy moved that the further consideration of the bill be postponed until Wednesday, March 25, 1874; which motion was decided in the negative.

On motion of Mr. Hampton,

The previous question was ordered.

The question then being, "Shall this bill pass?" it was decided in the negative—yeas 16, nays 17.

Those voting in the affirmative are,

Messrs. Baldwin, Burke, Casey, Castle, Cummings, Cusey, Hampton, Henry, Hinchcliffe, Hundley, Palmer, Starne, Voris, Ware, Warren, Whiting—16.

Those voting in the negative are,

Messrs. Brooks, Dow, Ferrell, Green, Jacobs, Kehoe, Lee, McGrath, Murphy, Patterson, Sanford, Shepard, Strong, Upton, Waite, Williamson, Mr. President—17.

Mr. Kehoe moved to reconsider the vote whereby the bill was lost.

Mr. Murphy moved to lay the motion to reconsider on the table; which motion was decided in the negative.

The question then being, "Shall the vote whereby the bill was lost be reconsidered?" it was decided in the negative by the following vote :

Those voting in the affirmative are,

Messrs. Burke, Casey, Castle, Cummings, Cusey, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, Lee, McGrath, Palmer, Patterson, Sanford, Starnes, Strong, Voris, Ware, Williamson—20.

Those voting in the negative are,

Messrs. Brooks, Dow, Ferrell, Green, Murphy, Shepard, Steels, Upton, Walte, Mr. President—10.

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, to-wit:

House bill, No. 882, for "An act to provide for the election and prescribe the duties of the Supervisor of State Institutions, and to revise the law in relation to the State charitable institutions."

In the passage of which I am instructed to ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of bills of the following titles, to-wit:

Senate bill, No. 334, for "An act relative to property conveyed, devised or bequeathed to the State in trust for charitable purposes."

Senate bill, No. 528, for "An act to reimburse to the county of McLean the sum of \$4,850, in abatement of taxes for the year 1872."

Senate bill, No. 565, for "An act to provide a fund for the relief of members of police and fire departments, in incorporated cities, wounded or disabled in the discharge of their duties, and for the relief of the surviving family of any member of said departments killed while on duty."

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, to-wit:

House bill, No. 778, for "An act to amend section 1 of 'an act to revise the law in relation to the State Treasurer,' approved April 23, 1873."

In the passage of which I am instructed to ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of bills of the following titles, to-wit:

Senate bill, No. 238, for "An act to make an appropriation for compensation to military companies for services rendered in the city of Chicago in the month of October, 1871."

Senate bill, No. 26, for "An act to reorganize the Illinois State Horticultural Society."

Senate bill, No. 192, for "An act regulating the labor of the convicts of the penitentiary of the State."

With amendments thereto.

In the adoption of which amendments I am instructed to ask the concurrence of the Senate.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 20th day of March, 1874, laid before the Governor for his approval, viz:

House bill, No. 619, for "An act to revise the law in relation to the commitment and detention of lunatics."

House bill, No. 639, for "An act to revise the law in relation to fences."  
House bill, No. 641, for "An act to revise the law in relation to ferries."

House bill, No. 650, for "An act to revise the law in relation to plats."  
Leave of absence was granted Mr. Palmer until Tuesday next.

Senate bill, No. 602, for "An act in relation to licensed surveyors," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 23, nays 10.

Those voting in the affirmative are,

Messrs. Brooks, Burke, Casey, Castle, Cummings, Cusey, Dow, Ferrell, Hampton, Henry, Hinchcliffe, Hundley, Kehoe, McGrath, Murphy, Palmer, Patterson, Reynolds, Starne, Strong, Upton, Waite, Williamson—23.

Those voting in the negative are,

Messrs. Baldwin, Green, Jacobs, Lee, Sanford, Shepard, Steele, Ware, Warren, Whiting—10.

Mr. Lee entered a motion to reconsider the vote whereby the bill (S. B. 602) was lost.

Mr. Dow (by unanimous consent) called up Senate bill, No. 603, for "An act to amend an act entitled 'an act to remedy the evils consequent upon the destruction of any public records by fire, or otherwise,' approved April 9, 1872," for consideration by sections.

By unanimous consent, the bill was discharged from the order of consideration by sections.

The question then being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. Hampton, (by unanimous consent) from the committee on miscellaneous, to which was referred Senate bill, No. 611, for "An act to prevent the licensing of houses of ill-fame, and the inspection or medical examination of the inmates of the same," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file to be considered by sections.

On motion of Mr. Kehoe,

The Senate, at 5:40 o'clock P. M., adjourned.

SATURDAY, MARCH 21, 1874—10 O'clock A. M.

The Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Waldo.

The journal of yesterday was being read, when,

On motion of Mr. Jacobs,

The further reading of the same was dispensed with.

On motion of Mr. Whiting,

The rules were suspended, and House bill, No. 730, for "An act to amend an act entitled 'an act prevent extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to punish the same and prescribe a mode of procedure and rules of evidence in relation thereto,' and to repeal an act entitled 'an act to prevent unjust discriminations and extortions in the rates to be charged by the different railroads in this State for the transportation of freights on said roads,' approved April 7, A. D. 1871,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

Mr. Starne (by unanimous consent) called up for consideration the following resolution, offered by him on the 19th ultimo:

*Resolved by the Senate, the House of Representatives concurring herein,* That there shall be submitted to the voters of this State, at the next general election, a proposition to amend section one (1), article nine (9), of the constitution of this State, entitled "Revenue," as follows:

"The General Assembly shall have power to tax peddlers, auctioneers, brokers, hawkers, merchants, commission merchants, showmen, jugglers, innkeepers, liquor dealers, toll bridges, ferries, insurance, telegraph and express interests or business, vendors of patents, persons on their incomes, and persons or corporations owning or using franchises and privileges, in such manner as it shall, from time to time, direct by general law, uniform as to the class upon which it operates. And the General Assembly shall also have power to provide such further revenue as may be needful, by levying a tax by valuation, so that every person and corporation shall pay a tax in proportion to the value of his, her or its property, such value to be ascertained by some person or persons to be elected or appointed in such manner as the General Assembly shall direct, and not otherwise."

Mr. Starne offered the following amendment:

Amend by adding: "That the General Assembly shall have the further power to levy an excise tax on whisky or distilled spirits manufactured in this State."

On motion of Mr. Starne,

The resolution and amendment was referred to the committee on judiciary.

Mr. Upton made the following report:

HON. JOHN EARLY, *President of the Senate*:

The committee of conference on the disagreement of the House and Senate on Senate bill, No. 403, for "An act to revise the law in relation to liens," have agreed to and do recommend to the respective houses as follows:

1. That the Senate do concur with the House in its amendments to sections one (1), twenty-nine (29) and forty-five (45).

2. That section twenty-nine (29) be further amended by striking out the words "conformity with the terms of the," in line three (3) of the written bill, and inserting instead thereof the words "pursuance of the purposes of the original."

3. That the first of the House amendments to section thirty-one (31) be amended by striking out the word "sixty," and inserting the word "forty," and that the House recede from its second amendment to said section; and that the first of said amendments to said section thirty-one (31), being so amended, be concurred in by the Senate.

F. M. YOUNGBLOOD,

A. S. PALMER,

C. W. UPTON,

*On part of the Senate.*

M. HAY,

IRA M. MOORE,

JNO. F. SCANLAN,

*On part of the House.*

The question then being, "Shall the Senate agree with the committee of conference in the foregoing report on this bill?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Casey, Castle, Cummings, Cusey, Ferrell, Green, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, McGrath, Murphy, Nicholson, Patterson, Reynolds, Sanford, Shepard, Starne, Upton, Voris, Waite, Ware, Warren, Whiting, Williamson, Mr. President—31.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 295, for "An act to revise the law in relation to the rate of interest," with amendments thereto.

In the adoption of which amendments I am instructed to ask the concurrence of the Senate.

A message from the Governor, by Philo J. Beveridge, Private Sec'y:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, viz:

Senate bill, No. 492, for "An act in regard to horse and dummy railroads."

House bill, No. 562, for "An act to enable towns and villages in counties in this State having more than forty thousand inhabitants according to the last federal census, having commons, to dispose of the same."

House bill, No. 619, for "An act to revise the law in relation to the commitment and detention of lunatics."

House bill, No. 639, for "An act to revise the law in relation to fences."

House bill, No. 641, for "An act to revise the law in relation to ferries."

House bill, No. 650, for "An act to revise the law in relation to plats."

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 535, for "An act to amend an act entitled 'an act in regard to guardians and wards,' approved April 10, 1872."

On motion of Mr. Sanford,

The rules were suspended, and House bill, No. 856, for "An act to enable library associations to sell and transfer their real and personal property," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote—yeas 29, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Casey, Castle, Cummings, Cusey, Dow, Ferrell, Green, Hampton, Henry, Jacobs, Kehoe, McGrath, Murphy, Nicholson, Patterson, Reynolds, Sanford, Starnes, Strong, Voris, Waite, Ware, Warren, Whiting Williamson, Mr. President—29.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Strong called up the following report, made by him yesterday:

The committee of conference of the Senate and House of Representatives, to which was referred Senate bill, No. 459, for "An act to revise the law in relation to mines," report the following:

*First.*—That the Senate concur in the House amendments to section 10, by inserting in line 11, before the words "suitable and competent person," the words "county surveyor or other."

*Second.*—That the House amend their additional section by striking out the words "of," "exceeding" and "one thousand dollars nor less," in line 3. Also, by striking out the words "than one" in line 4, and insert the words "to exceed" after the word "not," in line 3; and in line 4, before the word "hundred," the word "five," so that the section will read as follows:

"Whoever shall willfully trespass upon the land of another by mining thereon, shall, in addition to the damages now authorized by law, be liable to a penalty not to exceed five hundred dollars, which may be recovered in an action of debt by the owner thereof, in any court of competent jurisdiction."



The question then being, "Shall the Senate agree to the foregoing report of the committee of conference on this bill?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Casey, Castle, Cummings, Dow, Ferrell, Green, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, McGrath, Murphy, Nicholson, Patterson, Reynolds, Sanford, Shepard, Sterne, Stroug, Upton, Voria, Ware, Warren, Whiting, Williamson, Mr. President—31.

Mr. Williamson (by unanimous consent) called up House message on Senate bill, No. 575, for "An act to set off from incorporated towns certain territory which, by the county board, has been formed into a new town or part thereof."

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments to the bill?"

Amend by inserting after the word "town," in line 5 of printed bill, the words "prior to the passage of this act."

Amend title of bill by striking out the word "towns" and insert "villages."

It was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Burke, Casey, Castle, Cummings, Cusey, Dow, Ferrell, Green, Hampton, Henry, Hinchcliffe, Kehoe, McGrath, Murphy, Nicholson, Patterson, Reynolds, Sanford, Shepard, Sterne, Strong, Upton, Voria, Waite, Ware, Warren, Whiting, Williamson, Mr. President—31.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in their amendment to House bill, No. 675, for "An act to revise the law in relation to escheats."

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 597, for "An act making an appropriation for repairing the lock-gates on the Little Wabash river."

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed:

Senate bill, No. 449, for "An act to revise the law in relation to permitting animals to run at large."

Senate bill, No. 498, for "An act to amend an act entitled 'an act to exempt the homestead from forced sale, and to provide for setting off the same, and to exempt certain personal property from attachment and sale on execution, and from distress from rent,' approved April 30, 1873."

Senate bill, No. 551, for "An act making an appropriation for the purchase of a site and for the construction of buildings for the Illinois Institution for the education of Feeble-minded Children."

Senate bill, No. 603, for "An act to amend an act entitled 'an act to remedy the evils consequent upon the destruction of any public records by fire or otherwise,' approved April 9, 1872."

Mr. Archer (by unanimous consent) called up Senate bill, No. 557, for "An act to empower the Auditor to draw his warrants for unexpended money heretofore appropriated to the Institution for the education of the Blind," for consideration by sections.

Sections 1 and 2 were adopted.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

On motion of Mr. Cusey,

The rules were suspended, and Senate bill, No. 614, for "An act making an appropriation for the payment of the claim of A. Paine for binding the first and second volumes of the report of the geological survey of Illinois," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 33, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Casey, Castle, Cummings, Cusey, Dow, Ferrell, Green, Hampton, Henry, Hincheliff, Hundley, Jacobs, Kehoe, Lee, McGrath, Murphy, Nicholson, Patterson, Reynolds, Sanford, Shepard, Starne, Steele, Strong, Upton, Ware, Warren, Whiting, Williamson, Mr. President—33.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Baldwin (by unanimous consent) called up House message on Senate bill, No. 26, for "An act to organize the Illinois State Horticultural Society."

The pending question being; "Shall the Senate concur with the House of Representatives in the adoption of the following amendment to the bill?"

Amend by striking out of line 6, section 4, the figures "1874," and insert the figures "1875."

It was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Casey, Castle, Cummings, Cusey, Dow, Ferrell, Green, Hampton, Henry, Hundley, Jacobs, Kehoe, Lee, McGrath, Murphy, Nicholson, Patterson, Reynolds, Sanford, Shepard, Starne, Strong, Upton, Waite, Ware, Warren, Whiting, Williamson, Youngblood, Mr. President—34.

Mr. McGrath (by unanimous consent), from the committee on municipalities, to which was referred Senate bill, No. 262, for "An act concerning the removal of city officers, conferring additional powers and duties upon mayors of cities, and concerning ordinances passed therein," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

The report of the committee was concurred in, the amendments adopted, and the bill was ordered to be engrossed and printed for a third reading.

Mr. Green (by unanimous consent) offered the following resolution:

WHEREAS it is especially necessary, for the proper completion of the business before this General Assembly, that a full attendance of Senators should be had during the remainder of the session; therefore,

Resolved by the Senate, That all leaves of absence granted by the Senate are hereby revoked except in cases of sickness, and the Secretary of the Senate is hereby directed to inform all absentees of the adoption of this resolution.

On motion of Mr. Green,

The rules were suspended for the purpose of considering the foregoing resolution.

The question being, "Shall the resolution be adopted?" it was decided in the affirmative.

Mr. Whiting (by unanimous consent) called up for consideration by sections House bill, No. 730, for "An act to amend an act entitled 'an act to prevent extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to punish the same, and prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal an act entitled 'an act to prevent unjust discriminations and extortions in the rates to be charged by the different railroads in this State for the transportation of freights on said roads,' approved April 7, A. D. 1871."

Mr. Steele offered the following amendment to the bill, which was adopted :

Strike out all after the word "production," in line 19, and add the following: "Of the schedule desired to be used as evidence, with a certificate of the Railroad and Warehouse Commissioners that the same is a true copy of a schedule prepared by them for the railroad company or corporation therein named, and that the same has been published as required by law, stating the name of the paper in which the same was published, together with the date of such publication."

Section 1 as amended was adopted.

And the question being, "Shall this bill be read a third time?" it was decided in the affirmative, and

The amendment was ordered printed.

Mr. Steele, (by unanimous consent), from the joint committee on revision, to which was referred House bill, No. 310, for "An act to provide for the sale of unclaimed property by common carriers, warehousemen and innkeepers," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed, and,

On motion of Mr. Steele,

The rules were suspended, and the bill was read at large a second time, and ordered on file to be considered by sections, and,

On motion of Mr. Steele,

The rules were suspended, and the bill was taken up for consideration by sections.

The pending question being, "Shall the Senate adopt the amendments to the bill reported from the joint committee on revision?" it was decided in the affirmative.

On motion of Mr. Steele,

The bill was discharged from the order of consideration by sections.

And the question then being, "Shall this bill be read a third time?" it was decided in the affirmative, and

The amendments were ordered printed.

Mr. Upton (by unanimous consent) called up House message on Senate bill, No. 295, for "An act to revise the law in relation to the rate of interest."

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendment to the bill?"

Strike out section 3 as amended by the House, and insert in lieu thereof the following:

"§ 3. Judgment recovered before any court or magistrate shall draw interest at the rate of six per centum per annum from the date of the same until satisfied. When judgment is entered upon any award, report or verdict, interest shall be computed at the rate aforesaid, from the time when made or rendered to the time of rendering judgment upon the same and made a part of the judgment."

It was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Cummings, Cusey, Dow, Ferrell, Green, Hampton, Henry, Hundley, Jacobs, Kehoe, Lee, Murphy, Nicholson, Patterson, Shepard, Starne, Steele, Upton, Walte, Warren, Whiting, Williamson, Youngblood, Mr. President—27.

Mr. Upton (by unanimous consent) called up House bill, No. 607, for "An act in regard to attorneys general and State's attorneys," which, having been printed, was read at large a third time.

On motion of Mr. Hampton,

The bill was referred to the committee on revision.

Mr. Lee moved to suspend the rules for the purpose of offering a resolution.

The question being, "Shall the rules be suspended for the purpose of receiving a resolution?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Brooks, Casey, Castle, Cummings, Hinchcliffe, Kehoe, Lee, Murphy, Nicholson, Walte, Ware, Youngblood—13.

Those voting in the negative are,

Messrs. Baldwin, Burke, Cusey, Green, Hampton, Hundler, Jacobs, McGrath, Patterson, Reynolds, Sanford, Shepard, Steele, Strong, Upton, Warren, Whiting, Williamson, Mr. President—19.

Mr. Castle (by unanimous consent) called up House bill, No. 852, for "An act to prevent fraud or fraudulent practices upon hotel keepers or boarding house keepers, inn keepers, and to provide a remedy therefor,"

Which was read at large a first time, and ordered to a second reading, and,

On motion of Mr. Castle,

Referred to the committee on miscellany.

On motion of Mr. Patterson,

The rules were suspended, and Senate bill, No. 608, for "An act to amend section ninety-two of an act entitled 'an act for the assessment of property and the levy and collection of taxes,' approved March 30, 1872," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 30, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Casey, Castle, Cummings, Cusey, Ferrell, Green, Hampton, Henry, Hundler, Jacobs, Kehoe, Murphy, Nicholson, Patterson, Reynolds, Sanford, Shepard, Starnes, Steele, Upton, Ware, Warren, Whiting, Williamson, Youngblood, Mr. President—30.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Ferrell (by unanimous consent) called up House bill, No. 828, for "An act to amend an act entitled 'an act in regard to gateways, roads and bridges in counties not under township organization,' for consideration by sections.

On motion of Mr. Ferrell,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

The question then being, "Shall the bill be read a third time?" it was decided in the affirmative.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in several of their amendments to House bill, No. 203, for "An act to provide for fencing railroads, and to secure the safety of persons and property; their prompt transportation, the proper making up of trains, and their management and running of locomotive engines and cars," have concurred with certain other amendments after amending the same, and have refused to concur in certain other amendments, as appears by report accompanying this message.

I am instructed to ask the concurrence of the Senate in the action of the House of Representatives in reference to said bill.

Mr. Upton (by unanimous consent) called up House message on Senate bill, No. 442, for "An act to revise the law in relation to clerks of courts."

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments to the bill?"

Amend section 16, line 15, by striking out the words "bound therein."

Amend same section, line 43, by striking out the words "bound therein."

Amend section 16 by inserting after the word "judgment," in line 19, the words "and execution;" also, by striking out in line 20 the word "thirty" and inserting "sixty;" also, by inserting after the word "entered," in line 23, the following: "fee book and page, time of issuing each execution, the amount of debt, damages and costs, in separate items, for which it is issued, to whom issued, when returned, and the manner of its execution;" also, by striking out the lines 43, 44 and 45.

Amend section 27 by striking out all in the first, second and third lines down to and including the word "estate," and insert the following: "Such clerks shall also provide well-bound books in which to record bonds and letters of administrators, executors and guardians, inventories, appraisement bills and sale bills of estates, widows' relinquishments and selection, inventories of property of minors' wills and the probate thereof, annual and final reports of administrators, executors and guardians, and such other exhibits or writings as are required by law to be recorded." Also, by inserting in line 13, before the word "all," the words "a full summary of."

It was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Casey, Castle, Cummings, Cusey, Ferrell, Green, Hampton, Hincheliff, Hundley, Jacobs, Kehoe, Murphy, Nicholson, Patterson, Reynolds, Sanford, Shepard, Starne, Steele, Upton, Ware, Warren, Whiting, Williamson, Youngblood, Mr. President—30.

On motion of Mr. Archer,

The Senate, at 12:15 o'clock P. M., adjourned until 2:30 o'clock P. M.

## TWO-THIRTY O'CLOCK P. M.

The Senate met, pursuant to adjournment.

By unanimous consent, House bill, No. 623, for "An act to revise the law in relation to counties,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

House bill, No. 792, for "An act to authorize incorporated cities, towns or villages in this State, situated upon the banks of navigable rivers, to lease parts of their public landings or levees,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

On motion of Mr. Cummings,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

The question being, "Shall the bill be read a third time?" it was decided in the affirmative.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and, on the 21st day of March, 1874, laid before the Governor for his approval, viz :

Senate bill, No. 465, for "An act to revise the law in relation to the State militia."

Senate bill, No. 359, for "An act to revise the law in regard to estrays and other lost property."

Senate bill, No. 575, for "An act to set off from incorporated villages certain territory which, by the county board, has been formed into a new town or part thereof."

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly engrossed :

Senate bill, No. 262, for "An act concerning the removal of city officers, conferring additional powers and duties upon mayors of cities, and concerning ordinances passed therein."

Mr. Henry (by unanimous consent), from the committee on penal institutions, to which was referred House bill, No. 743, for "An act entitled an act to secure to clergymen of all denominations free access to the penitentiary at Joliet, and all other penal, reformatory and charitable institutions in the State of Illinois." reported the same back with an amendment, and recommended its adoption, and that the bill as amended be passed.

The bill was ordered on file to be considered by sections.

By unanimous consent, bills of the House of Representatives in the order of first reading were taken up.

House bill, No. 880, for "An act to amend sections six (6) and seven (7), of article four (4), of an act entitled 'an act to provide for the incorporation of cities and villages,' in force July 1, 1872,"

Was taken up, read at large a first time, and ordered to a second reading.

House bill, No. 831, for "An act to enable the corporate authorities now or hereafter incorporated under an act entitled 'an act to provide for the incorporation of cities and villages,' in force July 1, 1872, to acquire by purchase, lease or gift, establish, maintain, license and regulate ferries, bridges, the approaches thereto, and tolls thereon,"

Was taken up, read at large a first time, and ordered to a second reading.

House bill, No. 673, for "An act to amend section 13 of an act entitled 'an act to fix the salaries of State officers ; of the judges of the circuit courts and superior court of Cook county ; of the State's attorneys ; of the judges and prosecuting attorneys of inferior courts in cities and towns ; of the county officers of Cook county ; to regulate the fees of the Secretary of State, and of the clerks of the supreme court ; to classify the counties according to population, and fix the scale of fees for county officers in each class ; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers ; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' in force July 1, 1872,"

Was taken up, read at large a first time, and ordered to a second reading.

House bill, No. 864, for "An act to amend an act entitled 'an act con-

cerning circuit courts, and to fix the times for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook,' approved May 2, 1873."

Was taken up, read at large a first time, and ordered to a second reading.

House bill, No. 108, for "An act to regulate the means of egress from public buildings,"

Was taken up, read at large a first time, and ordered to a second reading.

House bill, No. 762, for "An act to amend an act entitled 'an act in regard to roads and bridges in counties under township organization,' approved April 11, 1873,"

Was taken up, read at large a first time, and ordered to a second reading.

House bill, No. 837, for "An act to amend 'an act in regard to gateways, roads and bridges, in counties not under township organization,'"

Was taken up, read at large a first time, and ordered to a second reading.

House bill, No. 832, for "An act to amend section six (6), article 6, of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, A. D. 1872, and in force July 1, 1872,"

Was taken up, read at large a first time, and ordered to a second reading.

House bill, No. 705, for "An act to amend sections six (6), seven (7), nine (9), twenty-four (24), twenty-six (26) and fifty-three (53), of article nine (9), of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, 1872,"

Was taken up, read at large a first time, and ordered to a second reading.

House bill, No. 712, for "An act to amend an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' in force July 1, 1872,"

Was taken up, read at large a first time, and ordered to a second reading.

House bill, No. 838, for "An act to amend an act entitled 'an act to provide for the exercise of the right of eminent domain,'"

Was taken up, read at large a first time, and ordered to a second reading.

House bill, No. 794, for "An act concerning police magistrates, and to repeal an act therein named,"

Was taken up, read at large a first time, and ordered to a second reading.

House bill, No. 778, for "An act to amend section 1 of 'an act to revise the law in relation to the State Treasurer,' approved April 23, 1873,"

Was taken up, read at large a first time, and ordered to a second reading.

House bill, No. 882, for "An act to provide for the election and prescribe the duties of the supervisor of State institutions, and to revise the law in relation to the State charitable institutions."

Was taken up, read at large a first time, and ordered to a second reading.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the adoption of their amendments to a bill of the following title, to-wit:

House bill, No. 815, for "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same and to repeal an act therein named."

On motion of Mr. Shepard,

The rules were suspended, and Senate bill, No. 591, for "An act to further provide for the ordinary and contingent expenses of the State government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly," was taken up for consideration by sections.

Mr. Sanford offered the following amendment:

Amend by inserting in section 1, after the 8th clause, the following:

"Ninth—The sum of thirty thousand dollars, or so much thereof as may be necessary, to defray the expense of compiling and publishing the Revised Statutes, including the cost of editing, printing and binding the same, and furnishing all printing paper and materials for the completion of the work."

The question then being, "Shall this amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Cusey, Ferrell, Green, Hampton, Henry, Jacobs, McGrath, Nicholson, Patterson, Reynolds, Sanford, Shepard, Steele, Upton, Whiting, Williamson, Mr. President—18.

Those voting in the negative are,

Messrs. Archer, Burke, Casey, Castle, Hinchcliffe, Kehoe, Lee, Murphy, Starne, Ware, Youngblood—11.

Mr. Casey offered the following amendment, which was lost:

Amend first clause of section 1, by striking out all after the word "thereof," in the 9th line, to and including the word "Governor," in 14th line.

Mr. Casey offered the following amendment, which was lost:

Amend by striking out the seventh paragraph.

Mr. Lee offered the following amendment:

In 1st line, of 7th clause, strike out the words "eight thousand," and insert "sixty-five hundred."

The question being, "Shall this amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Brooks, Burke, Casey, Ferrell, Henry, Hinchcliffe, Kehoe, Kelly, Lee, McGrath, Ware, Warren, Youngblood—13.

Those voting in the negative are,

Messrs. Baldwin, Castle, Cusey, Green, Jacobs, Nicholson, Patterson, Reynolds, Sanford, Shepard, Steele, Upton, Whiting, Williamson, Mr. President—15.



Mr. Lee offered the following amendment, which was lost:

In 1st line, 7th clause, strike out the word "eight," and insert "twenty."

Section 1 as amended was then adopted.

Mr. Murphy offered the following amendment, which was adopted:

Amend section 2 by adding the following: "All sums of money appropriated by this bill shall be paid to the persons to whom the same is due, on warrants drawn in their favor."

Section 2 as amended was adopted.

Mr. Hinchcliffe moved to reconsider the vote whereby section 1 was adopted.

Mr. Reynolds moved that the motion to reconsider lie on the table.

The yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Green, Jacobs, Patterson, Reynolds, Sanford, Shepard, Steele, Upton, Whiting, Williamson—11.

Those voting in the negative are,

Messrs. Archer, Brooks, Burke, Casey, Castle, Cummings, Henry, Hinchcliffe, Kehoe, Lee, McGrath, Nicholson, Starne, Ware, Warren, Youngblood—16.

The question then being, "Shall the vote whereby section 1 was adopted be reconsidered?" it was decided in the affirmative:

Mr. Hinchcliffe offered the following amendment:

Strike out the word "eight," in line 30, of the 1st section, and insert the word "four," in lieu thereof.

Mr. Cummings offered the following amendment to the amendment, which was lost:

Amend amendment by striking out the word "four," and insert the word "six," in lieu thereof.

The question then being, "Shall the amendment offered by Mr. Hinchcliffe be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Brooks, Burke, Casey, Hinchcliffe, Kehoe, Lee, Murphy, Starne, Warren, Youngblood—11.

Those voting in the negative are,

Messrs. Baldwin, Castle, Casey, Ferrell, Green, Hampton, Henry, Jacobs, Nicholson, Reynolds, Sanford, Shepard, Steele, Upton, Whiting, Williamson, Mr. President—17.

Mr. Cummings offered the following amendment to the bill:

Strike out of paragraph 7 "eight thousand," and insert "six thousand one hundred."

Mr. Hinchcliffe offered the following amendment to the amendment:

Amend the amendment by striking out "six," and inserting "five."

The question being, "Shall the amendment to the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Brooks, Burke, Casey, Cummings, Henry, Hinchcliffe, Kehoe, Lee, Murphy, Warren, Youngblood—12.

Those voting in the negative are,

Messrs. Baldwin, Castle, Casey, Ferrell, Green, Hampton, Jacobs, Nicholson, Patterson, Reynolds, Sanford, Shepard, Steele, Upton, Williamson, Mr. President—16.

The question then being, "Shall the amendment offered by Mr. Cummings be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Brooks, Burke, Casey, Cummings, Cusey, Ferrell, Hampton, Hinchcliffe, Kehoe, Lee, McGrath, Murphy, Nicholson, Patterson, Ware, Warren, Youngblood—18.

Those voting in the negative are,

Messrs. Baldwin, Castle, Green, Henry, Jacobs, Reynolds, Sanford, Shepard, Steele, Upton, Whiting, Williamson, Mr. President—12.

Section 1 as amended was then adopted.

The question then being, "Shall the bill be engrossed and printed for a third reading?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Cummings, Cusey, Ferrell, Green, Hampton, Henry, Jacobs, Kehoe, McGrath, Nicholson, Patterson, Reynolds, Sanford, Shepard, Ware, Warren, Whiting, Mr. President—20.

Those voting in the negative are,

Messrs. Burke, Casey, Castle, Hinchcliffe, Lee, Murphy, Starnes, Steele, Youngblood—9.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, to-wit:

House bill, No. 376, for "An act to amend sections three (3) and four (4) of an act approved March 25th, A. D. 1869, entitled 'an act to establish lines and corners.'"

In the passage of which I am instructed to ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 587, for "An act to amend an act entitled 'an act concerning circuit courts, and to fix the times for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook,' approved May 2, 1873," with amendments thereto.

In the adoption of which amendments I am directed to ask the concurrence of the Senate.

Senate bill, No. 613, for "An act to amend sections sixteen (16) and one hundred and twenty-three (123) of an act entitled 'an act in regard to roads and bridges in counties under township organization,' approved April 11, 1873,"

Was taken up, read at large a second time, and,

On motion of Mr. Cummings,

Was recommitted to the committee on revenue.

On motion of Mr. Cummings,

The Senate, at 4:25 o'clock P. M., adjourned.

MONDAY, MARCH 23, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

The journal of yesterday was being read, when,

On motion of Mr. Cummings,

The further reading of the same was dispensed with.

House bill, No. 396, for "An act to secure to children elementary instruction," was taken up for a third reading.

Mr. Henry moved to postpone the further consideration of the bill to and make it the special order for Wednesday, 25th ultimo, at 11 o'clock A. M.

The question being, "Shall the further consideration of the bill be so postponed?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Castle, Cunningham, Hampton, Henry, Jacobs, Patterson, Reynolds, Sanford, Shepard, Strong, Upton, Whiting, Williamson, Mr. President—13.

Those voting in the negative are,

Messrs. Archer, Casey, Cummings, Cusey, Ferrell, Green, Hinchcliffe, Kehoe, Lee, McGrath, Murphy, Starnes, Ware, Warren—14.

This bill having been printed, was read at large a third time.

Mr. Reynolds moved that the further consideration of the bill be postponed to and made the special order for Wednesday, the 25th ult., at 10:30 o'clock A. M.

The question being, "Shall the further consideration of this bill be so postponed?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Cunningham, Green, Gundlach, Henry, Jacobs, Patterson, Reynolds, Sanford, Shepard, Steele, Upton, Whiting, Williamson—14.

Those voting in the negative are,

Messrs. Archer, Brooks, Burke, Casey, Castle, Cummings, Cusey, Ferrell, Hampton, Hinchcliffe, Hundley, Kehoe, Lee, McGrath, Murphy, Starnes, Ware, Warren—15.

Mr. Lee moved the previous question.

The question then being, "Shall the main question be now put?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Burke, Casey, Cummings, Cusey, Ferrell, Hinchcliffe, Hundley, Lee, McGrath, Murphy, Starnes, Ware, Warren—14.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Castle, Cunningham, Green, Gundlach, Hampton, Henry, Jacobs, Kehoe, Patterson, Reynolds, Sanford, Shepard, Steele, Upton, Whiting, Williamson—18.

After debate, Mr. Shepard moved to recommit the bill to the committee on education.

The question being, "Shall the bill be recommitted to the committee on education?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Cunningham, Hampton, Henry, Jacobs, McGrath, Patterson, Reynolds, Sanford, Shepard, Steele, Upton, Whiting, Williamson, Mr. President—15.

Those voting in the negative are,

Messrs. Archer, Brooks, Burke, Casey, Cummings, Cusey, Donahue, Hinchcliffe, Hundley, Kehoe, Lee, Murphy, Starnes, Ware, Warren—15.

Mr. Shepard, at 12:25 o'clock P. M., moved that the Senate adjourn until 2:30 o'clock P. M.

The question being, "Shall the Senate adjourn until 2:30 o'clock P. M.?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Cunningham, Green, Gundlach, Hampton, Henry, Jacobs, Patterson, Reynolds, Sanford, Shepard, Steele, Upton, Whiting, Williamson, Mr. President—16.

Those voting in the negative are,

Messrs. Archer, Brooks, Burke, Casey, Cummings, Cusey, Donahue, Hinchcliffe, Hundley, Kehoe, Lee, McGrath, Murphy, Starnes, Ware, Warren—16.

The question being, "Shall this bill pass?" it was decided in the negative—yeas 9, nays 18.

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cunningham, Henry, Jacobs, Shepard, Upton, Whiting, Williamson—9.

Those voting in the negative are,

Messrs. Archer, Brooks, Burke, Casey, Cummings, Cusey, Donahue, Ferrell, Hinchcliffe, Hundley, Kehoe, Lee, McGrath, Murphy, Starne, Steele, Ware, Warren—18.

Mr. Cummings moved that the vote whereby the bill was lost be reconsidered.

Mr. Sanford, at 12:45 o'clock P. M., moved that the Senate adjourn until 2:30 o'clock P. M.

The question being, "Shall the Senate adjourn until 2:30 o'clock P. M.?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Cunningham, Henry, Jacobs, Patterson, Reynolds, Sanford, Shepard, Steele, Upton, Whiting, Williamson, Mr. President—13.

Those voting in the negative are,

Messrs. Archer, Brooks, Burke, Casey, Cummings, Cusey, Donahue, Ferrell, Hinchcliffe, Hundley, Kehoe, Lee, McGrath, Murphy, Starne, Ware, Warren—17.

Mr. Kehoe moved that the motion to reconsider the vote whereby the bill was lost, lie on the table.

The question then being, "Shall the motion to reconsider the vote whereby the bill was lost, lie on the table?" and the yeas and nays being demanded,

The roll was called, when the following answered to their names:

Those voting in the affirmative are,

Messrs. Archer, Brooks, Burke, Casey, Cummings, Cusey, Donahue, Ferrell, Hinchcliffe, Hundley, Kehoe, Lee, McGrath, Murphy, Starne, Upton, Ware, Warren—18.

Those voting in the negative are,

Messrs. Baldwin, Castle, Henry, Williamson, Mr. President—5.

And it appearing that a quorum did not answer, the motion was declared not decided.

Mr. Cummings, at 12:55 o'clock P. M., moved that the Senate adjourn.

The question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Cummings, Henry, Hinchcliffe, Hundley—4.

Those voting in the negative are,

Messrs. Archer, Brooks, Burke, Castle, Cunningham, Cusey, Ferrell, Jacobs, Patterson, Reynolds, Sanford, Shepard, Steele, Whiting, Williamson, Mr. President—16.

Mr. Reynolds moved a call of the Senate; which was decided in the negative.

Mr. Cummings, at 1 o'clock P. M., moved that the Senate adjourn.

The question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Mr. Cummings voted in the affirmative.

Those voting in the negative are,

Messrs. Baldwin, Crews, Cunningham, Ferrell, Henry, Jacobs, Patterson, Reynolds, Sanford, Shepard, Steele, Upton, Warren, Whiting, Williamson, Mr. President—17.

Mr. Reynolds moved a call of the Senate.

The question being, "Shall the Senate be called?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Cunningham, Donahue, Ferrell, Henry, Jacobs, Patterson, Reynolds, Sanford, Shepard, Steele, Upton, Whiting, Mr. President—15.

Those voting in the negative are,

Messrs. Cummings, Hinchcliffe, Lee—3.

Pending the call of the Senate,

Mr. Cummings, at 1:10 o'clock P. M., moved that the Senate adjourn.

The question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Cummings, Hinchcliffe, Hundley, McGrath, Warren—6.

Those voting in the negative are,

Messrs. Baldwin, Castle, Cunningham, Ferrell, Henry, Jacobs, Patterson, Reynolds, Sanford, Shepard, Steele, Upton, Whiting, Williamson, Mr. President—15.

The call of the Senate being proceeded with, the following members answered to their names:

Messrs. Baldwin, Brooks, Casey, Castle, Cummings, Cunningham, Cusey, Donahue, Ferrell, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Lee, Patterson, Reynolds, Sanford, Shepard, Steele, Upton, Ware, Warren, Whiting, Williamson, Mr. President—26.

On motion of Mr. Whiting,

Further proceedings under the call were dispensed with.

The question then recurring on the motion made by Mr. Kehoe, viz: "That the motion made by Mr. Cummings to reconsider the vote whereby House bill, No. 396, for "An act to secure to children elementary instruction," was lost, be ordered to lie on the table," and the yeas and nays being demanded, the motion to reconsider was laid on the table by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Brooks, Burke, Casey, Castle, Cummings, Cusey, Donahue, Ferrell, Hinchcliffe, Hundley, Kehoe, Lee, McGrath, Murphy, Starnes, Upton, Ware, Warren—19.

Those voting in the negative are,

Messrs. Baldwin, Hampton, Henry, Jacobs, Patterson, Reynolds, Sanford, Shepard, Steele, Whiting, Williamson, Mr. President—12.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of bills of the following titles, to wit:

Senate bill, No. 119, for "An act to fix the liability of common carriers receiving property for transportation."

Senate bill, No. 560, for "An act to protect colored children in their rights to attend public schools."

Senate bill, No. 541, for "An act to amend section 20 of an act entitled 'an act in regard to gateways, roads and bridges in counties not under township organization,' approved April 18, 1873."

Senate bill, No. 489, for "An act in relation to the office of chancellor in universities of learning."

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to lay before the Senate the following written communication:

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, March 23, 1874.

To the Honorable the Senate:

I have the honor to nominate, as a member of the Board of State Commissioners of Public Charities, George S. Robinson, of Sycamore,

DeKalb county, to be his own successor, and respectfully ask your concurrence herein.

JOHN L. BEVERIDGE,  
*Governor.*

A message from the Governor, by Philo J. Beveridge, Private Secretary :

Mr. President : I am directed by the Governor to lay before the Senate the following written communication :

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, March 23, 1874.

*To the Honorable the Senate :*

I have the honor to nominate, as Trustee for the Institution for the education of Feeble-minded Children, Wm. J. Rutledge, of Pike county, to be his own successor, and respectfully ask your concurrence therein.

JOHN L. BEVERIDGE,  
*Governor.*

A message from the Governor, by Philo J. Beveridge, Private Secretary :

Mr. President : I am directed by the Governor to lay before the Senate the following written communication :

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, March 23, 1874.

*To the Honorable the Senate :*

I have the honor to nominate, as public administrator in and for Edgar county, Joseph E. Dyas, of Paris, to fill a vacancy, and respectfully ask your concurrence therein.

JOHN L. BEVERIDGE,  
*Governor.*

A message from the Governor, by Philo J. Beveridge, Private Secretary :

Mr. President : I am directed by the Governor to lay before the Senate the following written communication :

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, March 23, 1874.

*To the Honorable the Senate :*

I have the honor to nominate the following named gentlemen as Trustees for the Institution for the education of the Deaf and Dumb : Stephen R. Capps, of Jacksonville, Morgan county ; Isaac Lessen, of Quincy, Adams county ; Melville A. Cushing, of Minonk, Woodford county ; to fill vacancies. And respectfully ask your concurrence therein.

JOHN L. BEVERIDGE,  
*Governor.*

A message from the Governor, by Philo J. Beveridge, Private Secretary :

Mr. President : I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, viz :

Senate bill, No. 359, for "An act to revise the law in regard to estrays and other lost property."

Senate bill, No. 465, for "An act to revise the law in relation to the State militia."

Senate bill, No. 575, for "An act to set off from incorporated towns certain territory which, by the county board, has been formed into a new town, or part thereof."

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred in the report of the committee of conference in relation to Senate bill, No. 459, for "An act to revise the law in relation to mines."

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in their amendments to House bill, No. 716, for "An act providing for trial of rights of property in certain cases before the county court."

Also, in their amendments to House bill, No. 856, for "An act to enable library associations to sell and transfer their real and personal property."

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 23d day of March, 1874, laid before the Governor for his approval, to-wit:

Senate bill, No. 534, for "An act in relation to property conveyed, devised or bequeathed to the State in trust for charitable purposes."

Senate bill, No. 443, for "An act to revise the law in relation to the supreme court."

Senate bill, No. 467, for "An act to revise the law in relation to paupers."

Senate bill, No. 468, for "An act to revise the law in relation to *quo warranto*."

Senate bill, No. 471, for "An act to revise the law in relation to slander and libel."

Senate bill, No. 477, for "An act to revise the law in relation to toll bridges."

Senate bill, No. 480, for "An act to revise the law in relation to the vacation of streets and alleys."

Senate bill, No. 529, for "An act to amend 'an act concerning circuit courts, and to fix the times for holding the same in the several counties of the judicial circuits in the State of Illinois, exclusive of Cook,' approved May 2, 1873."

Senate bill, No. 535, for "An act to amend an act entitled 'an act in regard to guardians and wards,' approved April 10, 1872."

Senate bill, No. 597, for "An act making an appropriation for repairing the lock-gates on the Little Wabash river."

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred in the report of the conference committee on Senate bill, No. 403, for "An act to revise the law in relation to liens."

On motion of Mr. Sanford,

The Senate, at 1:30 o'clock P. M., adjourned to 3 o'clock P. M.

THREE O'CLOCK P. M.

Senate met, pursuant to adjournment.

Mr. Sanford (by unanimous consent), from the committee on judiciary, to which was referred House bill, No. 860, for "An act concerning the

decisions and publication of the reports of the supreme court," reported the same back, and recommended that it do not pass.

On motion of Mr. Sanford,

The bill was ordered to lie on the table.

Mr. Ferrell (by unanimous consent), from the committee on revenue; to which was referred Senate bill, No. 613, for "An act to amend sections sixteen (16) and one hundred and twenty-three (123) of an act entitled 'an act in regard to roads and bridges in counties under township organization,' approved April 11, 1873," reported the same back and recommended that it pass,

The report of the committee was concurred in, and the bill ordered on file to be considered by sections.

Mr. Upton (by unanimous consent), from the joint committee on revision, to which was referred House bill, No. 607, for "An act in regard to attorneys general and State's attorneys," reported the same back with an amendment, recommended its adoption, and that the bill as amended be passed.

The report of the committee was concurred in, the amendment adopted and the bill was ordered to be read a third time, and the amendment was ordered printed.

Mr. Upton (by unanimous consent) called up House bill, No. 882, for "An act to provide for the election and prescribe the duties of the supervisor of State institutions, and to revise the law in relation to the State charitable institutions."

Which was read at large a second time, and,

On motion of Mr. Upton,

Referred to the committee on state charitable and educational institutions.

Mr. Sanford (by unanimous consent) called up House bill, No. 712, for "An act to amend an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' in force July 1, 1872."

Which was read at large a second time, and,

On motion of Mr. Sanford,

Referred to the committee on fees and salaries.

Mr. Hampton (by unanimous consent), from the committee on miscellany, to which was referred House bill, No. 852, for "An act to prevent fraud or fraudulent practices upon hotel keepers, boarding house keepers or inn keepers, and to provide a remedy therefor," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill was ordered on file for a second reading.

On motion of Mr. Cummings,

The rules were suspended, for the purpose of considering the order of Senate bills on third reading.



Senate bill, No. 552, for "An act to appropriate money for the purchase of furniture and bedding for the Illinois Soldiers' Orphans' Home," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 26, nays 2.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Castle, Cunningham, Cusey, Ferrell, Green, Gundlach, Hampton, Henry, Hinchliffe, Hundley, Jacobs, Kehoe, Lee, Patterson, Reynolds, Sanford, Sheldon, Short, Starne, Strong, Upton, Whiting, Mr. President—26.

Messrs. Shepard and Warren voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Senate bill, No. 190, for "An act to extend the jurisdiction of constables in incorporated towns and cities," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 32, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Casey, Castle, Cummings, Cunningham, Cusey, Ferrell, Green, Gundlach, Hampton, Henry, Hinchliffe, Jacobs, Kehoe, Lee, McGrath, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Steele, Strong, Upton, Ware, Warren, Williamson, Mr. President—32.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Murphy,

Leave of absence was granted Mr. Youngblood.

Senate bill, No. 595, for "An act to revise the law in relation to the Soldiers' Orphans' Home," having been printed, was read at large a third time.

On motion of Mr. Sanford,

The bill was referred to the committee on state charitable and educational institutions.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of bills of the following titles, to-wit:

Senate bill, No. 296, for "An act to secure the free passage of fish in all the waters of this State."

Senate bill, No. 493, for "An act to amend an act entitled 'an act in regard to roads and bridges in counties under township organization.'"

Senate bill, No. 596, for "An act in relation to gas companies."

With amendments thereto.

In the adoption of which amendments I am instructed to ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, to-wit:

House bill, No. 849, for "An act to revise the law in relation to the destruction of wild animals."

In the passage of which I am instructed to ask the concurrence of the Senate.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly engrossed:

Senate bill, No. 557, for "An act to empower the Auditor to draw his warrants for unexpended money heretofore appropriated to the Institution for the education of the Blind,"

Senate bill, No. 577, for "An act to amend sections 1, 2, 4, 7, 9 and 12, of an act entitled 'an act for the registry of electors and to prevent fraudulent voting,' approved February 15, 1865, and to repeal section 10 of said act."

Senate bill, No. 600, for "An act to provide for the publication of the Revised Statutes of the State."

Senate bill, No. 538, for "An act to amend section fifty-four of article nine, of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, 1872," having been printed, was read at large a third time.

On motion of Mr. McGrath,

The bill was recommitted to the committee on municipalities.

Senate bill, No. 593, for "An act to amend section number eight of an act entitled 'an act to provide for annexing and excluding territory to and from cities, towns and villages, and to unite cities, towns and villages,' having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 10, nays 18.

Those voting in the affirmative are,

Messrs. Brooks, Casey, Green, Gundlach, Jacobs, McGrath, Murphy, Reynolds, Sheldon, Starne—10

Those voting in the negative are,

Messrs. Archer, Baldwin, Burke, Castle, Cummings, Cunningham, Cusey, Donahue, Ferrell, Hampton, Sanford, Shepard, Steele, Strong, Upton, Warren, Whiting, Williamson—18.

Mr. Burke entered a motion to reconsider the vote whereby the bill was lost.

Senate bill, No. 437, for "An act to prevent extortion and unjust discrimination in the rates charged for the transportation of freights on railroads in this State and to punish the same, and prescribe a mode of procedure and rules of evidence in relation thereto," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 11, nays 23.

Those voting in the affirmative are,

Messrs. Brooks, Burke, Casey, Cummings, Gundlach, Hinchcliffe, Hundley, Kehoe, McGrath, Voris, Warren—11.

Those voting in the negative are,

Messrs. Archer, Baldwin, Castle, Cusey, Donahue, Ferrell, Green, Hampton, Henry, Jacobs, Murphy, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Starne, Strong, Upton, Whiting, Williamson, Mr. President—23.

Mr. Whiting moved to reconsider the vote whereby the bill was lost.

On motion of Mr. Donahue,

The motion to reconsider the vote whereby the bill was lost was ordered to lie on the table.

Senate bill, No. 557, for "An act to empower the Auditor to draw his warrants for unexpended money heretofore appropriated to the Institution for the education of the Blind," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 33, nays 0.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brooks, Castle, Cummings, Cunningham, Cusey, Donahue, Ferrell, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, McGrath, Murphy, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Starne, Steele, Strong, Upton, Warren, Whiting, Williamson, Mr. President—33.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and not having re-

ceived a vote of two-thirds of the members elected, was declared lost as an emergency act, and, under the rules, the President declared the vote by which it was lost as an emergency act, reconsidered.

Mr. Archer offered the following amendment, which was adopted :

Strike out the emergency clause.

And the question being, "Shall this bill pass?" it was then decided in the affirmative—yeas 28, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Castle, Cunningham, Cusey, Donahue, Farrell, Green, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, McGrath, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Strong, Thompson, Warren, Whiting, Williamson, Mr. President—28.

Mr. Archer offered the following amendment to the title, which was adopted :

Strike out the title of the bill, and insert the following in lieu thereof:

A bill for "An act to empower the Auditor to draw his warrants for unexpended money heretofore appropriated to the Institution for the education of the Blind, and for a further appropriation to said institution."

Ordered that the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. McGrath (by unanimous consent) called up Senate bill, No. 611, for "An act to prevent licensing of houses of ill-fame and the inspection or medical examination of the inmates of the same," for consideration by sections.

On motion of Mr. McGrath,

The rules were suspended, and the bill was discharged from consideration by sections.

The question then being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly engrossed :

Senate bill, No. 591, for "An act to further provide for the ordinary and contingent expenses of the State government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly."

By unanimous consent, the order of bills of the House of Representatives on second reading were taken up.

House bill, No. 831, for "An act to enable the corporate authorities now or hereafter incorporated under an act entitled 'an act to provide for the incorporation of cities and villages,' in force July 1, 1872, to acquire by purchase, lease or gift, establish, maintain, license and regulate ferries, bridges, the approaches thereto and tolls thereon,"

Was taken up, read at large a second time, and,

On motion of Mr. Shepard,

Referred to the committee on corporations.

House bill, No. 880, for "An act to amend sections six (6) and seven (7) of article four (4) of an act entitled 'an act to provide for the incorporation of cities and villages,' in force July 1, 1872,"

Was taken up, read at large a second time and,

On motion of Mr. McGrath,

Referred to the committee on municipalities.

House bill, No. 762, for "An act to amend an act entitled 'an act in regard to roads and bridges in counties under township organization,' approved April 11, 1873,"

Was taken up, read at large a second time, and,

On motion of Mr. Ferrell,

Referred to the committee on roads highways and bridges.

House bill, No. 864, for "An act to amend an act entitled 'an act concerning circuit courts, and to fix the time for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook,' approved May 2, 1873,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

On motion of Mr. Brooks,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

The question then being, "Shall this bill be read a third time?" it was decided in the affirmative.

House bill, No. 837, for "An act to amend an act entitled 'an act in regard to gateways, roads and bridges in counties not under township organization,'"

Was taken up, read at large a second time, and,

On motion of Mr. Ferrell,

Referred to the committee on roads, highways and bridges.

House bill, No. 794, for "An act concerning police magistrates, and to repeal an act therein named,"

Was taken up, read at large a second time, and,

On motion of Mr. Keloe,

Referred to the committee on municipalities.

House bill, No. 832, for "An act to amend section 6, of article 6, of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, A. D. 1872, and in force July 1, A. D. 1872,"

Was taken up, read at large a second time, and,

On motion of Mr. Murphy,

Referred to the committee on municipalities.

House bill, No. 673 for "An act to amend section 13 of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' approved March 29, 1872,"

Was taken up, read at large a second time, and,

On motion of Mr. Hampton,

Referred to the committee on fees and salaries.

House bill, No. 778, for "An act to amend section one (1) of an act to revise the law in relation to the State Treasurer,' approved April 23, 1873,"

Was taken up, read at large a second time, and,

On motion of Mr. Ferrell,

Referred to the committee on revenue.

House bill, No. 108, for "An act to regulate the means of egress from public buildings,"

Was taken up, read at large a second time, and ordered on file to be considered by sections, and,

On motion of Mr. Sanford,

The rules were suspended, and the bill was discharged from consideration by sections.

The question then being, "Shall this bill be read a third time?" it was decided in the affirmative.

House bill, No. 838, for "An act to amend an act entitled 'an act to provide for the exercise of the right of eminent domain,'"

Was taken up, read at large a second time, and,

On motion of Mr. Jacobs,

Referred to the committee on judiciary.

House bill, No. 705, for "An act to amend sections six (6), seven (7), nine (9), twenty-four (24), twenty-six (26) and fifty-three (53), of article nine (9), of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, 1872,"

Was taken up, read at large a second time, and,

On motion of Mr. Sanford,

Referred to the committee on municipalities.

House bill, No. 852, for "An act to prevent fraud or fraudulent practices upon hotel keepers, boarding house keepers or inn-keepers, and to provide a remedy therefor,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

Mr. Whiting moved to suspend the rules, for the purpose of receiving a report from the committee on agriculture and drainage.

The question then being, "Shall the rules be suspended to receive a report from the committee on agriculture and drainage?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Casey, Castle, Cunningham, Donahue, Ferrell, Green, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, McGrath, Patterson, Sanford, Sheldon, Shepard, Strong, Whiting—30.

Those voting in the negative are,

Messrs. Cummings, Cusey, Murphy, Reynolds, Steele, Williamson—6.

Mr. Whiting (by unanimous consent), from the committee on agriculture and drainage, to which was referred House bill, No. 417, for "An act to limit the charges for feed of persons, companies or corporations doing stock yard or transit business," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file for a second reading.

Mr. Cummings, at 5:50 o'clock, P. M., moved to adjourn; which motion was decided in the negative.

Mr. Whiting moved to suspend the rules for the purpose of taking up House bill, No. 417, for "An act to limit the charges for feed of persons, companies or corporations doing stock yard or transit business," for a second reading.

Mr. Reynolds, at 5:55 o'clock, P. M., moved that the Senate adjourn.

The question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Cummings, Cusey, Donahue, Hundley, Reynolds, Steele, Upton—8.

Those voting in the negative are,

Messrs. Archer, Casey, Castle, Crews, Cunningham, Ferrell, Green, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, McGrath, Murphy, Sanford, Shepard, Starna, Strong, Whiting—18.

The question then being, "Shall the rules be suspended for the purpose of reading the bill a second time?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Castle, Cunningham, Donahue, Ferrell, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, McGrath, Patterson, Sanford, Sheldon, Shepard, Strong, Upton, Whiting, Mr. President—22.

Those voting in the negative are,

Messrs. Cummings, Cusey, Kehoe, Reynolds, Sterne, Williamson—4.

Mr. Cummings, at 5:57 o'clock, P. M., moved that the Senate adjourn.

The question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Cummings, Cusey, Hundley, Nicholson, Patterson, Sterne, Steele, Upton, Williamson—11.

Those voting in the negative are,

Messrs. Baldwin, Casey, Castle, Cunningham, Donahue, Ferrell, Green, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, McGrath, Murphy, Sanford, Sheldon, Shepard, Short, Strong, Whiting—21.

The rules being suspended, House bill, No. 417, for "An act to limit the charges for feed of persons, companies or corporations doing stock yard or transit business,"

Was taken up, read at large a second time, and ordered on file to be considered by sections.

On motion of Mr. Kehoe,

The Senate, at 6 o'clock P. M., adjourned.

## TUESDAY, MARCH 24, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Reed.

The journal of yesterday was being read, when,

On motion of Mr. Glenn,

The further reading of the same was dispensed with.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and, on the 24th day of March, 1874, laid before the Governor for his approval, viz:

House bill, No. 685, for "An act to revise the law in relation to escheats."

House bill, No. 763, for "An act to amend section thirty-five (35) of an act entitled 'an act to establish and maintain a system of free schools,' approved April 1, 1872."

House bill, No. 654, for "An act to amend an act entitled 'an act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872."

House bill, No. 606, for "An act to revise the law in relation to the attachment of boats, vessels and rafts."

Mr. Dow (by unanimous consent) introduced Senate bill, No. 615, for "An act to amend an act entitled 'an act to enable counties, cities, townships, school districts and other municipal corporations to take up

and cancel outstanding bonds and other evidences of indebtedness and fund the same,' approved and in force March 26, 1872."

Which was ordered to a first reading.

On motion of Mr. Dow,

The rules were suspended, the bill read at large a first time, and ordered to a second reading, and to be printed.

On motion of Mr. Donahue,

The rules were suspended, and House bill, No. 730, for "An act to amend an act entitled 'an act to prevent extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to punish the same, and prescribe a mode of procedure and rules of evidence in relation thereto,' and to repeal an act entitled 'an act to prevent unjust discriminations and extortions in the rates to be charged by the different railroads in this State for the transportation of freights on said roads,' approved April 7, A. D. 1871," having been printed, was read at large a third time.

On motion of Mr. Cummings,

The previous question was ordered.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 32, nays 4.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Castle, Crews, Cummings, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Jacobs, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Strong, Upton, Ware, Warren, Whiting, Wilcox, Williamson, Mr. President—32.

Those voting in the negative are,

Messrs. Casey, Kehoe, Lee, Voris—4.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Reynolds,

The rules were suspended, and Senate bill, No. 577, for "An act to amend sections one (1), two (2), four (4), seven (7), nine (9) and twelve (12) of an act entitled 'an act for the registry of electors, and to prevent fraudulent voting,' approved February 15, 1865, and to repeal section 10 of said act," having been printed, was read at large a third time.

On motion of Mr. Nicholson,

The previous question was ordered.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 34, nays 1.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Casey, Castle, Crews, Cunningham, Cusey, Dow, Ferrell, Glenn, Green, Hampton, Henry, Jacobs, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sanford, Shepard, Short, Searns, Steele, Strong, Upton, Voris, Ware, Warren, Whiting, Wilcox, Williamson, Mr. President—34.

Mr. Gundlach voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Shepard,

The rules were suspended, and Senate bill, No. 591, for "An act to further provide for the ordinary and contingent expenses of the State government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly," having been printed, was read at large a third time.

On motion of Mr. Ferrell,

The previous question was ordered.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 28, nays 5.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Castle, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Green, Hampton, Henry, Jacobs, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Steele, Stroug, Upton, Whiting, Wilcox, Williamson, Mr. President—28.

Those voting in the negative are, .

Messrs. Casey, Kehoe, Lee, Murphy, Voris—5.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly engrossed :

Senate bill, No. 579, for "An act to amend section 15 of an act entitled 'an act to regulate public warehouses and the warehousing and inspection of grain, and to give effect to article 13 of the constitution of this State,' approved April 25, 1871."

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has refused to concur with them in their amendments to House bill, No. 608, for "An act to revise the law in relation to attorneys and counselors."

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of bills of the following titles, to-wit :

Senate bill, No. 315, for "An act to revise the law in relation to mortgages of real and personal property."

Senate bill, No. 330, for "An act making an appropriation for buildings and other improvements for the State Reform School, and for the purchase of stock."

With amendments thereto.

In the adoption of which amendments I am instructed to ask the concurrence of the Senate.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly engrossed :

Senate bill, No. 611, for "An act to prevent the licensing of houses of ill-fame, and the inspection or medical examination of inmates of the same."

On motion of Mr. Upton,

The rules were suspended, and House bill, No. 607, for "An act in regard to attorneys general and State's attorneys," having been printed, was read at large a third time.

On motion of Mr. Archer,

The previous question was ordered.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 37, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Casey, Castle, Crowe, Cummings, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Lee, McGrath, Murphy, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Short, Sterne, Steele, Stroug, Upton, Warren, Whiting, Williamson, Mr. President—37.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.



Mr. Donahue (by unanimous consent) called up the following House message on House bill, No. 203, for "An act to provide for fencing railroads, and to secure the safety of persons and property, their prompt transportation, the proper making up of trains, and the management and running of locomotive engines and cars."

The House of Representatives has concurred in the following Senate amendments to said bill:

Amend section 4, by inserting after the word "fenced," in line 3, "shall have the right to enter upon the land and track of said railroad company, and." Also, strike out the words "and a reasonable attorney's fee," in lines 8 and 9.

After section 6 add the following section:

"§ 6½. Any engineer, or person having charge of and running any railroad engine or locomotive, who shall willfully or maliciously kill, wound or disfigure any horse, cow, mule, hog, sheep or other useful animal, shall, upon conviction, be fined in the sum of not less than the value of the property so killed, wounded or disfigured, or confined in the county jail for a period of not less than ten days; and any such engineer or fireman, or other person, who shall wantonly or unnecessarily blow the engine whistle, so as to frighten any team, shall be liable to a fine of not less than ten dollars nor more than fifty dollars."

Strike out in section 23, lines 5 and 6, the words "and a reasonable attorney's fee, to be taxed by the court." Strike out in line 7 the word "five," and insert the word "one." Strike out after the word "Illinois," in line 8, all the section, and insert the following words: "The treble damages for the use of the party aggrieved, and the forfeiture for the use of the school fund of the county in which the offense is committed."

Strike out in section 24, line 10, the words "and a reasonable attorney's fee."

Strike out in section 28, lines 3 and 4, the words "and a reasonable attorney's fee, to be taxed by the court;" in line 6, the words "with a reasonable attorney's fee."

Amend section 29, by adding after the word "checks," in line 1, the words "or receipts;" and after the word "checks," in line 4, the words "or receipts;" and after the word "checks," in line 9, the words "or receipts;" and also strike out the words "and a reasonable attorney's fee," in line 6.

Amend section 32, by inserting after the word "train," in line 2, the words "or about the passenger depots."

Add to section 35: "Provided, that when any railroad company is required to keep a flagman at a crossing, it shall have the right to erect and maintain in the highway or street crossed a suitable house for the shelter of such flagman, the same to be so located as to create the least obstruction to the use of such street or highway, and afford the best view of the railroad track in each direction from such crossing."

Strike out in section 36, line 6, the words "together with a reasonable attorney's fee, to be taxed by the court."

Strike out all after the word "sum," line 5, section 15.

Strike out the word "the," line 2, section 28.

The House of Representatives has concurred with the following Senate amendments to the bill, with amendments thereto:

Amend by inserting after section 1: "§ 1½. It shall be the duty of all railroad corporations to keep their track clear from all dead grass,

dry weeds, or other dangerous or combustible material, and for neglect shall be liable to the penalties named in section 1."

Strike out the word "five," in section 14, line 4, and insert the word "fifteen."

Insert as section 23½ the following :

"§ 23½. In any suit brought for a violation of 'An act concerning the transportation of Texas or Cherokee cattle,' approved April 16, 1869, the consignor of any live stock, the bringing of which into this State shall constitute the offense created by said act, if he be a citizen of this State, and if not the consignee of any such live stock, shall be made a joint defendant with any railroad or transportation company which may be sued for the offense aforesaid, and the said consignor, or consignee, shall suffer jointly any penalty passed upon any such railroad or transportation company for any violation of the act aforesaid. Any action brought for a violation of the act aforesaid, must be commenced within the 18 months next succeeding the bringing of the cattle into this State on account of which the action may be brought. Any railroad company who shall transport any Texas, Cherokee or diseased cattle in violation of the aforesaid act, without knowing them to be such, may recover from any consignor or consignee any sum of money it may be compelled by the judgment of any court to pay for the transportation of such cattle, and the record of the judgment against the said company shall, in any suit against any such consignor or consignee, be evidence of the amount of damages to be recovered, with interest from the time of payment."

Amend by inserting new section between sections 34 and 35, numbered 34½ :

"§ 34½. It shall be the duty of all railroad corporations operating in this State, to provide such of their cars as are used in trains with some suitable automatic coupling, or other coupling which will secure personal safety, within one year from the time this law goes into effect, and any company refusing or neglecting to provide such automatic coupling, or other coupling which will secure personal safety, for each car so used in trains, shall be liable to a fine of not less than twenty-five nor more than fifty dollars."

The House of Representatives has amended said amendments as follows :

In line 2 of the first amendment strike out the word "track," and insert the words "right of way."

In the second amendment strike out the word "fifteen," and insert the word "ten"; and, also, add to the section amended (section 14) the following : "Any person who shall throw any stone or other hard substance at any railroad car, train or locomotive, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not more than two hundred dollars, and shall stand committed to the county jail until such fine and costs shall be paid."

In the third amendment, line 4, after the word "consignee," insert the words "if he shall have knowledge of and consent to such consignment."

Also insert at the end of the section, after the word "payment," the following : "Provided, that nothing in this section shall be construed to affect any right existing or suit pending."

In the fourth amendment, after the word "their," in line 2, insert the word "passenger;" and after the word "each," in line 5, insert the word "passenger."

The House of Representatives has refused to concur in the following Senate amendments to said bill:

Strike out in line 5, section 33, the words "or contract made."

Strike out in section 35, in line 1, the words "or highway," and in line 11, the words "or public highway."

Insert before the word "baggage," in line 1, of section 29, the word "ordinary."

Strike out all after the word "thereby," in line 8, of section 31, down to the word "*Provided*," in line 10 of the same section.

Strike out the words "or fine, or both," in line 11, of section 31.

The first question being, "Shall the Senate concur in the amendments of the House of Representatives to the Senate amendments to the bill, as set forth in the foregoing message?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Castle, Crews, Cummings, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hundley, Jacobs, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Upton, Ware, Warren, Whiting, Wilcox, Williamson, Mr. President—32.

The question then being, "Shall the Senate recede from its amendments to the bill in which the House of Representatives refused to concur, as set forth in the foregoing message?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Castle, Cummings, Cunningham, Cusey, Donahue, Dow, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Shepard, Steele, Upton, Warren, Whiting, Wilcox, Williamson, Mr. President—31.

Those voting in the negative are,

Messrs. Ferrell, Murphy, Ware—3.

On motion of Mr. Cummings,

The rules were suspended, and Senate bill, No. 458, for "An act to revise the law in relation to licenses," having been printed, was read at large a third time.

On motion of Mr. Patterson,

The previous question was ordered.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 11.

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Crews, Cummings, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Hampton, Henry, Hundley, Jacobs, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Short, Steele, Strong, Upton, Voris, Ware, Whiting, Wilcox, Mr. President—29.

Those voting in the negative are,

Messrs. Archer, Casey, Dow, Gundlach, Hinchcliffe, Kehoe, Lee, McGrath, Reynolds, Warren, Williamson—11.

Mr. Hampton offered the following amendment to the title of the bill:

Strike out all after the word "for," in the title of the bill, and insert: "An act to provide for the licensing of, and against the evils arising from, the sale of intoxicating liquors."

The question then being, "Shall this amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Crews, Cummings, Cunningham, Cusey, Ferrell, Green, Hampton, Hundley, Jacobs, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Steele, Strong, Upton, Voris, Warren, Whiting, Wilcox, Mr. President—24.

Those voting in the negative are,

Messrs. Archer, Casey, Castle, Donahue, Glenn, Gundlach, Hinchcliffe, Kehoe, Lee, Reynolds, Starnes—11.

Ordered that the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 24th day of March, 1874, laid before the Governor for his approval, viz :

Senate bill, No. 528, for "An act to reimburse to the county of McLean the sum of four thousand eight hundred and fifty dollars in abatement of taxes for the year 1872."

Senate bill, No. 541, for "An act to amend section twenty (20) of an act entitled 'an act in regard to gateways, roads and bridges, in counties not under township organization,' approved April 18, 1873."

Senate bill, No. 565, for "An act to provide a fund for the relief of members of police and fire departments in incorporated cities, wounded or disabled in the discharge of their duties, and for the relief of the surviving family of any member of said departments killed while on duty."

Senate bill, No. 478, for "An act to revise the law in relation to township insurance companies."

Senate bill, No. 26, for "An act to re-organize the Illinois State Horticultural Society."

Senate bill, No. 280, for "An act to revise the law in relation to change of venue."

Senate bill, No. 560, for "An act to protect colored children in their rights to attend public schools."

Senate bill, No. 295, for "An act to revise the law in relation to the rate of interest."

Senate bill, No. 441, for "An act to revise the law in relation to county clerks."

Senate bill, No. 459, for "An act to revise the law in relation to mines."

Senate bill, No. 475, for "An act to revise the law in relation to telegraph companies."

Senate bill, No. 479, for "An act to revise the law in relation to universities, colleges, academies, and other institutions of learning."

Senate bill, No. 481, for "An act to revise the law in relation to toll roads."

On motion of Mr. Crews,

The rules were suspended, and Senate bill, No. 584, for "An act to enable the board of supervisors of Lawrence county to acquire title to the south part of the southwest quarter of section number three, town two north, range eleven west, seventy three acres, and to hold and dispose of the same for the use of the pauper fund of said county," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 31, nays 5.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Casey, Castle, Crews, Cummings, Cunningham, Cusey, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Kehoe, Lee, McGrath, Nicholson, Palmer, Patterson, Shepard, Short, Steele, Strong, Upton, Warren, Wilcox, Mr. President—31.

Those voting in the negative are,

Messrs. Donahue, Jacobs, Reynolds, Starnes, Whiting—5.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. McGrath,

The rules were suspended, and Senate bill, No. 611, for "An act to prevent the licensing of houses of ill-fame and the inspection or medical examination of the inmates of the same," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 39, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Castle, Crews, Cummings, Cunningham, Cusey, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, McGrath, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Starne, Steele, Strong, Upton, Voria, Ware, Warren, Whiting, Wilcox, Williamson, Mr. President—39.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and having received a vote of two-thirds of the members elected, was declared passed.

Mr. Hinchcliffe offered the following amendment to the title of the bill, which was adopted:

Insert the word "official," before the word "inspection," in 2d line of title.

Ordered that the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Brooks (by unanimous consent) called up House message on Senate bill, No. 192, for "An act regulating the labor of the convicts of the penitentiary of the State."

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments?"

"*And, provided, further*, that this act shall not be construed to prohibit the employment of convicts outside the prison walls, by the warden and commissioners, in labor incident to the business and management of the penitentiary: *And, provided, further*, that this act shall not be construed to affect any existing contract."

It was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Casey, Castle, Crews, Cummings, Cunningham, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, Lee, McGrath, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Starne, Strong, Upton, Ware, Warren, Whiting, Wilcox, Williamson, Mr. President—39.

Mr. Glenn called up the motion, entered by Mr. Lee on the 20th ultimo, to reconsider the vote whereby Senate bill, No. 602, for "An act in relation to licensed surveyors," was lost.

The question then being, "Shall the vote whereby the bill was lost be reconsidered?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Brooks, Casey, Castle, Crews, Cummings, Donahue, Dow, Glenn, Gundlach, Hampton, Henry, Hinchcliffe, Handley, Kehoe, Lee, McGrath, Murphy, Nicholson, Palmer, Reynolds, Starne, Strong, Whiting, Williamson, Mr. President—28.

Those voting in the negative are,

Messrs. Baldwin, Cunningham, Ferrell, Green, Jacobs, Patterson, Sanford, Sheldon, Shepard, Steele, Upton, Ware, Warren, Wilcox—14.

On motion of Mr. Hampton,

The previous question was ordered.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 22, nays 16.

Those voting in the affirmative are,

Messrs. Casey, Castle, Crews, Cummings, Dow, Glenn, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Kehoe, Lee, McGrath, Murphy, Nicholson, Palmer, Reynolds, Starnes, Strong, Whiting, Williamson—22.

Those voting in the negative are,

Messrs. Archer, Baldwin, Cunningham, Donahue, Ferrell, Green, Jacobs, Patterson, Sanford, Sheldon, Shepard, Steele, Ware, Warren, Wilcox, Mr. President—16.

Mr. Murphy called up the motion, entered on the 26th day of February, A. D. 1874, to reconsider the vote whereby House bill, No. 391, for "An act to remove and transfer certain records relating to real estate from the office of the recorder of deeds of Schuyler county to the office of the Auditor of Public Accounts, and creating a custodian thereof, and providing the manner of obtaining certified copies of said records, and defraying the expenses of such removal," was lost.

Mr. Cummings moved that the motion to reconsider the vote whereby the bill was lost, be ordered to lie on the table.

The question then being, "Shall the motion to reconsider lie on the table?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Castle, Cummings, Cunningham, Cusey, Donahue, Dow, Green, Hampton, Jacobs, Nicholson, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Steele, Strong, Voria, Warren, Whiting, Williamson—25.

Those voting in the negative are,

Messrs. Casey, Henry, Hinchcliffe, Kehoe, Lee, Murphy, Starnes, Ware—8.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, to-wit:

Senate bill, No. 334, for "An act relative to property conveyed, devised or bequeathed to the State in trust for charitable purposes."

Senate bill, No. 443, for "An act to revise the law in relation to the supreme court."

Senate bill, No. 468, for "An act to revise the law in relation to quo warranto."

Senate bill, No. 471, for "An act to revise the law in relation to slander and libel."

Senate bill, No. 477, for "An act to revise the law in relation to toll bridges."

Senate bill, No. 535, for "An act to amend an act entitled 'an act in regard to guardians and wards,' approved April 10, 1872."

Senate bill, No. 529, for "An act to amend 'an act concerning circuit courts and to fix the times of holding the same in the several counties of the judicial circuits in the State of Illinois, exclusive of Cook,' approved May 2, 1873."

Senate bill, No. 597, for "An act making an appropriation for repairing the lock gates on the Little Wabash river."

Senate bill, No. 467, for "An act to revise the law in relation to paupers."

On motion of Mr. Wilcox,

The rules were suspended for the purpose of considering House bill, No. 603, for "An act to revise the law in relation to the department of agriculture, county agricultural boards, and agricultural fairs," in the order of pending questions.

The question being, "Shall the Senate adopt the amendments to the bill reported from the committee on revision?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Casey, Castle, Cunningham, Ferrell, Glenn, Jacobs, Kehoe, Reynolds, Upton, Wilcox—12.

Those voting in the negative are,

Messrs. Dow, Green, Gundlach, Hampton, McGrath, Murphy, Nicholson, Patterson, Sanford, Shepard, Sterne, Strong, Voris, Ware, Warren, Whiting, Williamson, Mr. President—18.

And the question then being, "Shall this bill be read a third time?" it was decided in the affirmative.

On motion of Mr. Hinchcliffe,

House bill, No. 741, for "An act in relation to courts of record in cities," was taken from the order of third reading, and recommitted to the committee on revision.

On motion of Mr. Ferrell,

The Senate, at 12:30 o'clock P. M., adjourned until 2:30 o'clock P. M.

#### TWO-THIRTY O'CLOCK, P. M.

Senate met, pursuant to adjournment.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, to-wit:

House bill, No. 891, for "An act to amend section twenty-two (22) of 'an act concerning jurors, and to repeal certain acts therein named,' approved March 12, 1874."

In the passage of which I am instructed to ask the concurrence of the Senate.

By unanimous consent, the order of House messages was taken up.

House message on Senate bill, No. 296, for "An act to secure the free passage of fish in all the waters of this State," was taken up for consideration.

And the pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments to the bill?"

Add to the first section the following: "*Provided*, that this act shall not apply to streams, ponds, lakes, sloughs or bayous that may be obstructed or closed by work or works done under the act of July 1, 1871, entitled "An act to provide for the construction and protection of drains, ditches, levees and other works."

Also, amend section 1 by striking out the words "one hundred" and inserting "two hundred."

It was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Brooks, Casey, Castle, Cummings, Casey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Hinchcliffe, Jacobs, McGrath, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Steele, Strong, Upton, Voris, Warren, Whiting, Wilcox, Mr. President—33.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 472, for "An act to revise the law in relation to State contracts," with amendments thereto.

In the adoption of which amendments I am instructed to ask the concurrence of the Senate.

House message on Senate bill, No. 315, for "An act to revise the law in relation to mortgages of real and personal property," was taken up for consideration.

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendment to the bill?"

Add to section 8: "All releases of mortgages and deeds of trust which have heretofore been made in accordance with the provisions of this section, shall be held legal and valid, and have the same force and effect as if made under the provisions of this act."

It was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Casey, Castle, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Starnes, Steele, Strong, Upton, Voris, Ware, Warren, Whiting, Wilcox, Williamson, Mr. President—38.

House message on Senate bill, No. 596, for "An act in relation to gas companies," was taken up for consideration.

On motion of Mr Starnes,

The bill and message were referred to the committee on municipalities.

Mr. Steele (by unanimous consent), from the committee on revision, to which was referred House bill, No. 741, for "An act in relation to courts of record in cities," reported the same back with an amendment, and recommended its adoption, and that the bill as amended be passed.

The report of the committee was concurred in, the amendment adopted, and the bill was ordered to a third reading.

House message on Senate bill, No. 238, for "An act to make an appropriation for compensation to military companies for services rendered in the city of Chicago in the month of October, 1871," was taken up for consideration.

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendment to the bill?"

Amend section 1 by adding the following after the word "duty:": "And for that purpose the sum of \$2,000, or so much thereof as may be necessary, is hereby appropriated."

It was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Casey, Castle, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Starnes, Steele, Strong, Upton, Voris, Whiting, Wilcox, Williamson, Mr. President—33.

Messrs. Crews and Warren voted in the negative.

House message on Senate bill, No. 330, for "An act making an appropriation for buildings and other improvements for the State Reform School, and for the purchase of stock," was taken up for consideration.

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments to the bill?"

Amend section 1 by striking out the words "for the erection of two additional family buildings, and furnishing the same, the sum of seventeen thousand dollars." Also, by inserting before the word "ten," in line 8, the words "the sum of." Also, add, "Whereas, the present



crowded condition of the reform school renders additional accommodations immediately necessary, an emergency exists: therefore, this act shall be in force from and after its passage." Also, strike out in line 7 the figures "1872," and insert "1873."

It was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Casey, Castle, Crews, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Lee, McGrath, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Short, Starne, Steele, Strong, Upton, Ware, Warren, Whiting, Wilcox, Williamson, Mr. President—41.

Messrs. Shepard and Voris voted in the negative.

House message on Senate bill, No. 493, for "An act to amend an act entitled 'an act in regard to roads and bridges in counties under township organization,'" was taken up for consideration.

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments to the bill?"

Strike out all after the enacting clause, and insert in lieu thereof the following:

§ 1. That section fifty-nine (59), of said act, be so amended as to read as follows:

"§ 59. If any person shall purposely destroy or injure any sidewalk, public bridge, culvert or causeway, or remove any of the timber or plank thereof, or obstruct the same, he shall forfeit a sum not less than three nor more than one hundred dollars, and shall be liable for all damages occasioned thereby, and all necessary costs of rebuilding or repairing the same."

§ 2. That section sixty-two (62), of said act, be so amended as to read as follows:

"§ 62. It shall be lawful for the owner or occupants of land bordering upon any public road to build sidewalks not to exceed six feet in width, and to plant shade and ornamental trees along and in such road at a distance not exceeding one-tenth of the legal width of the road from its margin, and also to erect and maintain a fence so long as shall be actually necessary for the purpose of raising a hedge on said margin a distance of four feet from and within said marginal lines."

§ 3. That section sixty-five (65), of said act, be so amended as to read as follows:

"§ 65. All public highways laid out by order of the commissioners of highways or supervisors on appeal shall not be less than fifty feet wide, nor more than sixty feet wide: *Provided*, the commissioners may lay out roads not less than forty feet wide nor more than sixty feet wide, when so prayed for by the petitioners, if each road does not exceed two miles in length: *And, provided, further*, that all public roads shall be opened within five years from the date of the filing of the order laying out the same or be deemed vacated."

It was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Crews, Cummings, Cusey, Dow, Ferrell, Gundlach, Henry, Hinchcliffe, Hundley, Kehoe, Lee, Murphy, Nicholson, Patterson, Reynolds, Short, Steele, Strong, Upton, Voris, Ware, Warren, Wilcox, Williamson, Mr. President—26.

Those voting in the negative are,

Messrs. Archer, Casey, Castle, Cunningham, Donahue, Glenn, Green, Hampton, Jacobs, Palmer, Sanford, Sheldon, Shepard, Starne, Whiting—15.

House message on Senate bill, No. 587, for "An act to amend an act entitled 'an act concerning circuit courts, and to fix the times for hold-

ing the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook, approved May 2, 1873," was taken up for consideration.

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments to the bill?"

Add the following section:

"§ 2. That paragraph twenty-four, of said act, be so amended as to read as follows, to-wit:

"*Twenty-third Circuit.*—In the county of Marion, on the second Monday of February and the second Monday of August. In the county of Monroe, on the first Mondays of March and September. In the county of Randolph on the second Mondays thereafter. In the county of Washington on the third Mondays thereafter. In the county of Perry on the third Mondays thereafter. In the county of Clinton on the second Monday thereafter."

Strike out the words "eighteenth paragraph," and insert "nineteenth paragraph."

It was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Casey, Castle, Cummings, Cunningham, Donahue, Dow, Ferrell, Glenn, Green, Henry, Hinchcliffe, Kehoe, Lee, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Short, Starne, Strong, Upton, Ware, Wilcox, Mr. President—27.

Mr. Crews voted in the negative.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, to-wit:

House bill, No. 642, for "An act to revise the law in relation to the Illinois and Michigan canal, and for the improvement of the Illinois and Little Wabash rivers."

House bill, No. 844, for "An act to provide for an act compelling circuit, county and probate clerks to record reports of sales made by masters in chancery and special commissioners."

In the passage of which I am instructed to ask the concurrence of the Senate.

House message on Senate bill, No. 472, for "An act to revise the law in relation to State contracts," was taken up for consideration.

On motion of Mr. Steele,

The bill and message were referred to the committee on printing.

House message on House bill, No. 608, for "An act to revise the law in relation to attorneys and counsellors," was taken up for consideration.

The pending question being, "Shall the Senate recede from its amendments to the bill in which the House of Representatives refused to concur?" it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Crews, Cusey, Green, Hampton, Hinchcliffe, Kehoe, McGrath, Nicholson, Strong—9.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brooks, Cummings, Donahue, Ferrell, Gundlach, Henry, Hundley, Jacobs, Lee, Murphy, Palmer, Patterson, Reynolds, Sanford, Shepard, Short, Starne, Steele, Upton, Ware, Warren, Whiting, Wilcox, Williamson, Mr. President—27.

So the Senate refused to recede.

On motion of Mr. Sanford,

A committee of conference was ordered on House bill, No. 608, for "An act to revise the law in relation to attorneys and counsellors," to consist of three members from the Senate and the same number from the House of Representatives, to consider the disagreement of the two

houses on the amendments to said bill; and the Secretary of the Senate was ordered to inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Hampton,

The rules were suspended, and Senate bill, No. 600, for "An act to provide for the publication of the Revised Statutes of the State," having been printed, was read at large a third time.

On motion of Mr. Ferrell,

The previous question was ordered.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 30, nays 9.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Crews, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Green, Hampton, Henry, Jacobs, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Steele, Upton, Warren, Whiting, Wilcox, Williamson, Mr. President—30.

Those voting in the negative are,

Messrs. Casey, Glenn, Gundlach, Hinchcliffe, Hundley, Kehoe, Lee, Starne, Ware—9.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Sanford (by unanimous consent) presented the following communication, which was ordered spread on the journals:

SPRINGFIELD, ILLINOIS, March 24, 1874.

*To the Honorable the Senate and House of Representatives of the 28th General Assembly:*

The undersigned, acting for and in behalf of the contractors to execute the public printing for the State of Illinois, hereby stipulate and agree that, in lieu of the contract rates set forth in the award and contract made with the State of Illinois, certified by the Secretary of State, dated September 7th, 1872, they will furnish the paper, measuring 28 1/2 inches, super-calendered, and of the weight of 30 lbs. to the ream, and compose, print and deliver to the Secretary of State, or as he may direct in the city of Springfield, in a good and workmanlike manner, as may be provided by law, the sheets of the Revised Statutes of Illinois, at the rate of 9 1/8 cents for each one hundred pages, said pages to be of the same size, and on an average contain the same amount of printed matter as those of "Gross' Statutes" of 1869, Vol. I; and that no additional charges shall be made on account of said paper, composition or press-work; and that all claims for additional pay on account of such paper, composition or press-work under the contract hereinbefore referred to are hereby waived and abandoned. It being understood that the said Revised Statutes, so far as they include the session laws of the 28th General Assembly, are to supersede and take the place of the publication of said session laws, and that we are to publish, under our contract, only such of said session laws as are not included in said revision.

ILLINOIS JOURNAL COMPANY,

By D. L. PHILLIPS, *Pres't., for Public Printers.*

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives requests the return to the House of Senate bill, No. 472, for "An act to revise the law in relation to State contracts."

On motion of Mr. Upton,

The rules were suspended, and Senate bill, No. 449, for "An act to revise the law in relation to permitting animals to run at large," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 6.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Castle, Cunningham, Cusey, Donahue, Dow, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, McGrath, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Short, Steele, Upton, Whiting, Williamson, Mr. President—29.

Those voting in the negative are,

Messrs. Casey, Cummings, Lee, Starne, Ware, Warren—6.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Dow,

The rules were suspended, and Senate bill, No. 603, for "An act to amend an act entitled 'an act to remedy the evils consequent upon the

destruction of any public records by fire or otherwise,' approved April 9, 1872," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 34, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Castle, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Lee, McGrath, Murphy, Nicholson, Palmer, Patterson, Sheldon, Shepard, Short, Sterne, Strong, Upton, Voria, Wara, Warren, Williamson, Mr. President—34.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and having received a vote of two-thirds of the members elected, was declared passed.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Ferrell,

The rules were suspended, and House bill, No. 828, for "An act to amend an act entitled 'an act in regard to gateways, roads and bridges in counties not under township organization,'" having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 35, nays 3.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Casey, Castle, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Lee, McGrath, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Shepard, Sterne, Strong, Upton, Warren, Whiting, Williamson, Mr. President—35.

Those voting in the negative are,

Messrs. Archer, Crews, Sanford—3.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A message from the Governor, by Philo J. Beveridge, Private Sec'y:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, viz:

House bill, No. 654, for "An act to amend an act entitled 'an act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872."

Senate bill, No. 685, for "An act to revise the law in relation to escheats."

House bill, No. 763, for "An act to amend section thirty-five of an act entitled 'an act to establish and maintain a system of free schools,' approved April 1, 1872."

Senate bill, No. 441, for "An act to revise the law in relation to county clerks."

Senate bill, No. 475, for "An act to revise the law in relation to telegraph companies."

Senate bill, No. 479, for "An act to revise the law in relation to universities, colleges, academies and other institutions of learning."

Senate bill, No. 480, for "An act to revise the law in relation to the vacation of streets and alleys."

Senate bill, No. 528, for "An act to reimburse to the county of McLean the sum of four thousand eight hundred and fifty dollars in abatement of taxes for the year 1872."

Senate bill, No. 541, for "An act to amend sections 20 of an act entitled 'an act in regard to gateways, roads and bridges in counties not under township organization,' approved April 18, 1873."

Senate bill, No. 560, for "An act to protect colored children in their rights to attend public schools."

Senate bill, No. 565, for "An act to provide a fund for the relief of members of police and fire departments, in incorporated cities, wounded or disabled in the discharge of their duties, and for the relief of the surviving family of any member of said departments killed while on duty."

Senate bill, No. 26, for "An act to reorganize the Illinois State Horticultural Society."

Mr. Strong (by unanimous consent) from the committee on printing, to which was referred Senate bill, No. 472, for "An act to revise the law in relation to State contracts," together with the amendments of the House of Representatives thereto, reported the same back and recommended that the bill and amendments be returned to the House of Representatives, as requested by them.

The report of the committee was concurred in, and the bill and amendments were ordered returned to the House of Representatives.

Mr. Lee (by unanimous consent) called up House bill, No. 891, for "An act to amend section twenty-two (22) of an act concerning jurors, and to repeal certain acts therein named," approved March 12, 1874."

Which was read at large a first time, and ordered to a second reading.

On motion of Mr. Upton,

The rules were suspended, and House bill, No. 603, for "An act to revise the law in relation to the department of agriculture, county agricultural boards and agricultural fairs," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 35, nays 2.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Castle, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hincheliffe, Jacobs, Kehoe, McGrath, Murphy, Nicholson, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Starne, Steele, Strong, Upton, Voris, Warren, Whiting, Wilcox, Williamson, Mr. President—35.

Messrs. Casey and Ware voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Jacobs (by unanimous consent), from the committee on corporations, to which was referred House bill, No. 831, for "An act to enable the corporate authorities now or hereafter incorporated under an act entitled 'an act to provide for the incorporation of cities and villages,' in force July 1, 1872, to acquire by purchase, lease or gift, establish, maintain, license and regulate ferries," reported the same back and recommended that it do pass.

The report of the committee was concurred in, and the bill ordered on file to be considered by sections.

On motion of Mr. Shepard,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

And the question being, "Shall this bill be read a third time?" it was decided in the affirmative.

On motion of Mr. Shepard,

The rules were suspended, and House bill, No. 831, for "An act to enable the corporate authorities now or hereafter incorporated under an act entitled 'an act to provide for the incorporation of cities and vil-

lages,' in force July 1, 1872, to acquire by purchase, lease or gift, establish, maintain, license and regulate ferries, bridges, the approaches thereto and tolls thereon," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 31, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Casey, Castle, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Hinchcliffe, Jacobs, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Shepard, Short, Starne, Steele, Upton, Ware, Warren, Whiting, Williamson, Mr. President—31.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Nicholson,

The rules were suspended, and Senate bill, No. 513, for "An act to amend section twenty-four of an act entitled 'an act for the assessment of property and the levy and collection of taxes,' approved March 30, 1872," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 26, nays 12.

Those voting in the affirmative are,

Messrs. Baldwin, Casey, Cummings, Cunningham, Cusey, Donahue, Dow, Glenn, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, McGrath, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Short, Starne, Whiting, Williamson, Mr. President—26.

Those voting in the negative are,

Messrs. Archer, Brooks, Crews, Ferrell, Green, Shepard, Steele, Upton, Voris, Ware, Warren, Wilcox—12.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Upton (by unanimous consent) called up House bill, No. 642, for "An act to revise the law in relation to the Illinois and Michigan Canal, and for the improvement of the Illinois and Little Wabash rivers."

Which was read at large a first time, and ordered to a second reading.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 455, for "An act to revise the law in relation to husband and wife," with amendments thereto.

In the adoption of which amendments I am instructed to ask the concurrence of the Senate.

On motion of Mr. Hinchcliffe,

The rules were suspended, and House bill, No. 741, for "An act in relation to courts of record in cities," having been printed, was read at large a third time.

On motion of Mr. Reynolds,

The previous question was ordered.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 37, nays 2.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Casey, Castle, Crews, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, McGrath, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Short, Starne, Steele, Strong, Upton, Voris, Ware, Warren, Wilcox, Williamson, Mr. President—37.

Messrs. Cummings and Whiting voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. McGrath (by unanimous consent), from the committee on municipalities, to which was referred House bill, No. 705, for "An act to amend sections six (6), seven (7); nine (9), twenty-four (24), twenty-six (26) and fifty-three (53), of article nine (9), of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, 1872," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill was ordered on file to be considered by sections.

Mr. McGrath (by unanimous consent), from the committee on municipalities, to which was referred House bill, No. 880, for "An act to amend sections six (6) and seven (7), of article four (4), of an act entitled 'an act to provide for the incorporation of cities and villages,' in force July 1, 1872," reported the same back and recommended that it do pass.

The report of the committee was concurred in, and the bill was ordered on file for consideration by sections.

On motion of Mr. Steele,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

And the question being, "Shall this bill be read a third time?" it was decided in the affirmative.

Mr. McGrath (by unanimous consent), from the committee on municipalities, to which was referred Senate bill, No. 538, for "An act to amend section fifty-four (54), of article nine, of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, 1872," reported the same back with amendments and recommended their adoption, and that the bill as amended be passed.

The report of the committee was concurred in, the amendments adopted, and the bill was ordered to be engrossed and printed for a third reading.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed by the House of Representatives to return to the Senate a bill of the following title, to-wit:

Senate bill, No. 472, for "An act to revise the law in relation to State contracts."

With the report in reference thereto corrected.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly enrolled, and on the 24th day of March, 1874, laid before the Governor for his approval, viz:

House bill, No. 856; for "An act to enable library associations to sell and transfer their real and personal property."

Mr. Dow (by unanimous consent), from the committee on fees and salaries, to which was referred House bill, No. 712, for "An act to amend an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State; and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty

for exacting illegal fees,' in force July 1, 1872," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill was ordered on file for consideration by sections.

Mr. Reynolds moved to reconsider the vote whereby Senate bill, No. 596, for "An act in relation to gas companies," together with the amendments of the House of Representatives thereto, was referred to the committee on municipalities.

On motion of Mr. Sheldon,

The previous question was ordered.

The question then being, "Shall the vote whereby the bill and amendments were referred to the committee on municipalities be reconsidered?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Casey, Donahue, Dow, Hampton, Henry, Hinchcliffe, Kahoe, Murphy, Reynolds, Sheldon, Voris, Whiting, Williamson—13.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brooks, Casey, Castle, Cummings, Cusey, Dow, Ferrell, Gundlach, Jacobs, Nicholson, Palmer, Patterson, Sanford, Shepard, Short, Starne, Steele, Upton, Warren—18.

On motion of Mr. Cummings,

The rules were suspended, and House bill, No. 792, for "An act to authorize incorporated cities, towns or villages in this State, situated upon the banks of navigable rivers, to lease parts of their public landings or levees," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 28, nays 10.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Casey, Castle, Cummings, Cusey, Dow, Ferrell, Glenn, Gundlach, Hampton, Henry, Hinchcliffe, Handley, Kahoe, McGrath, Palmer, Patterson, Sheldon, Short, Starne, Steele, Strong, Upton, Voris, Warren, Williamson, Mr. President—28.

Those voting in the negative are,

Messrs. Baldwin, Crews, Donahue, Green, Jacobs, Nicholson, Reynolds, Sanford, Shepard, Ware—10.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Strong (by unanimous consent) called up House message on Senate bill, No. 472, for "An act to revise the law in relation to State contracts."

The amendments of the House of Representatives to the bill being under consideration, they were read.

Mr. Whiting offered the following amendment to the amendments of the House of Representatives, which was adopted:

Amend section 27, clause 6, by striking out in lines 26 and 27 the words and figures "1500 copies for the volume of reports," and insert "one thousand copies to be delivered, equally, to the members of the General Assembly."

Amend section 28 by inserting, in line 5, after the word "University," "and the report of the State Superintendent of Public Instruction."

Ordered that the amendment to the House amendments be printed, and the bill and House amendments thereto ordered on file in the order of pending questions.

Mr. Sanford (by unanimous consent), from the committee on judiciary, to which was referred the following resolution, reported the same back and recommended its adoption:



*Resolved by the Senate and House of Representatives of the State of Illinois* (two-thirds of the members elected to each house agreeing thereto), That the following amendment be and the same is hereby proposed to the sixth article of the constitution of the State of Illinois, as section 34 of said article :

"§ 34. That the rights of the people may be more speedily ascertained and adjudicated, the General Assembly may, after the year of our Lord 1874, from time to time, and at any time thereafter, divide the State, exclusive of the county of Cook, into such number of judicial circuits as may seem necessary ; said circuits to be formed of contiguous counties, in as nearly compact form and as nearly as circumstances permit, having due regard to business, territory and population ; and the General Assembly may also, from time to time, increase the number of judges of the superior court or circuit court of Cook county, or both, to such number as may seem necessary, for the speedy dispatch of court business, anything in this article to the contrary notwithstanding. The circuit or superior court judges may interchange with and assist any other circuit or superior court judge or judges, and may, when assisting, hold a branch court or courts or special term, and the judgments, decrees and orders of any judge or judges interchanging with or assisting any other judge or judges shall have the same force and effect as if such judgment, decree or order had been rendered by the judge or judges in whose court such cause is pending."

Any and all parts of article six that are inconsistent herewith, are hereby declared abrogated.

On motion of Mr. Sanford,  
The resolution was ordered printed.

Mr. Crews, at 5:25 o'clock P. M., moved that the Senate adjourn ; which motion was decided in the negative.

Mr. Sanford, from the committee on judiciary, to which was referred the following resolution and amendment thereto :

*Resolved by the Senate, the House of Representatives concurring herein*, That there shall be submitted to the voters of this State, at the next general election, a proposition to amend section one (1), article nine (9), of the constitution of this State, entitled "Revenue," as follows :

"The General Assembly shall have power to tax peddlers, auctioneers, brokers, hawkers, merchants, commission merchants, showmen, jugglers, luncheoners, liquor dealers, toll bridges, ferries, insurance, telegraph and express interests or business, vendors of patents, persons on their income, and persons or corporations owning or using franchises and privileges, in such manner as it shall, from time to time, direct by general law, uniform as to the class upon which it operates. And the General Assembly shall also have power to provide such further revenue as may be needful, by levying a tax by valuation, so that every person and corporation shall pay a tax in proportion to the value of his, her or its property, such value to be ascertained by some person or persons to be elected or appointed in such manner as the General Assembly shall direct, and not otherwise."

Amend by adding: "That the General Assembly shall have the further power to levy an excise tax on whisky and distilled spirits manufactured in this State."

Reported the same back, and recommended that the resolution and amendment be not adopted.

On motion of Mr. Cummings,

The resolution and amendment was postponed to and made the special order for to-morrow morning, immediately after the reading of the journal.

Mr. Cummings, at 5:50 o'clock P. M., moved that the Senate adjourn.

The question being, "Shall the Senate adjourn ?" and the yeas and nays being demanded, it was decided in the negative by the following vote :

Those voting in the affirmative are,

Messrs. Archer, Crews, Cummings, Cunningham, Gundlach, Hinchcliffe, Hundley, Kehoe, Steele, Strong, Upton, Ware, Warren, Wilcox—14.

Those voting in the negative are,

Messrs. Brooks, Castle, Cusey, Dow, Glenn, Green, Hampton, Henry, Jacobs, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Whiting, Williamson—20.

House bill, No. 390, for "An act to amend section 14 of the act entitled 'an act in regard to judgments and decrees, and the manner of enforcing the same by execution, and to provide for the redemption of real estate sold under execution or decree,' in force July 1, 1872," was taken up for consideration by sections.

Mr. Cummings, at 5:55 o'clock P. M., moved that the Senate adjourn.

The question being, "Shall the Senate adjourn ?" and the yeas and nays being demanded, it was decided in the negative by the following vote :

Those voting in the affirmative are,

Messrs. Archer, Crews, Cummings, Hinchcliffe, McGrath, Reynolds, Starne, Ware, Warren, Wilcox—10.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Castle, Dow, Glenn, Green, Hampton, Henry, Jacobs, Nicholson, Palmer, Patterson, Sanford, Shepard, Short, Steele, Strong, Williamson—18.

The pending question being, "Shall the Senate adopt the amendments to the bill reported from the committee on miscellany?" it was decided in the affirmative.

Mr. Crews, at 6 o'clock P. M., moved that the Senate adjourn.

The question being, "Shall the Senate adjourn?" it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Crews, Cummings, Glenn, Hinchcliffe, McGrath, Reynolds, Sheldon, Starne, Ware, Warren, Wilcox—12.

Those voting in the negative are,

Messrs. Baldwin, Castle, Dow, Ferrell, Green, Hampton, Henry, Jacobs, Nicholson, Palmer, Patterson, Sanford, Shepard, Short, Steele, Whiting, Williamson—17.

Section 1 of the bill, as amended, was adopted.

The question being, "Shall the bill be read a third time?" it was decided in the affirmative.

Mr. Cummings, at 6:03 o'clock P. M., moved that the Senate adjourn.

The question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Crews, Cummings, Cunningham, Glenn, Hinchcliffe, McGrath, Ware, Warren—9.

Those voting in the negative are,

Messrs. Baldwin, Castle, Dow, Ferrell, Green, Gundlach, Hampton, Jacobs, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Whiting—15.

It appearing that a quorum did not answer to their names,

On motion of Mr. Steele,

A call of the Senate was ordered; when the following answered to their names:

Messrs. Archer, Castle, Crews, Cummings, Cunningham, Cusey, Dow, Ferrell, Glenn, Green, Hampton, Hinchcliffe, Jacobs, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Steele, Strong, Upton, Ware, Warren, Whiting, Williamson, Mr. President—31.

A quorum answering to their names,

On motion of Mr. Nicholson,

Further proceedings under the call were dispensed with.

House bill, No. 425, for "An act making an appropriation for the benefit of the State Board of Agriculture, and of county agricultural boards," was taken up for consideration by sections.

Mr. Cummings, at 6:10 o'clock P. M., moved that the Senate adjourn.

The question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Crews, Cummings, Cunningham, Glenn, Gundlach, Hinchcliffe, McGrath, Patterson, Reynolds, Sheldon, Strong, Warren, Wilcox—13.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Castle, Dow, Ferrell, Green, Hampton, Jacobs, Nicholson, Palmer, Sanford, Shepard, Short, Steele, Whiting, Williamson—15.

Sections 1, 2 and 3 of the bill were adopted.

And the question being, "Shall the bill be engrossed and printed for a third reading?" it was decided in the affirmative.

On motion of Mr. Ferrell,

The Senate, at 6:15 o'clock P. M., adjourned until to-morrow morning at 9:30 o'clock.

WEDNESDAY, MARCH 25, 1874—9:30 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by the Rev. Mr. Webster.

The journal of yesterday was being read, when,

On motion of Mr. Voris,

The further reading of the same was dispensed with.

The President announced the time for the consideration of the special order, being the following resolution, offered by Mr. Starne on the 19th ultimo :

*Resolved by the Senate, the House of Representatives concurring herein, That there shall be submitted to the voters of this State, at the next general election, a proposition to amend section one (1), article nine (9), of the constitution of this State, entitled "Revenue," as follows :*

*"The General Assembly shall have power to tax peddlers, auctioneers, brokers, hawkers, merchants, commission merchants, showmen, jugglers, innkeepers, liquor dealers, toll bridges, ferries, insurance, telegraph and express interests or business, vendors of patents, persons on their incomes, and persons or corporations owning or using franchises and privileges, in such manner as it shall, from time to time, direct by general law, uniform as to the class upon which it operates. And the General Assembly shall also have power to provide such further revenue as may be needful, by levying a tax by valuation, so that every person and corporation shall pay a tax in proportion to the value of his, her or its property, such value to be ascertained by some person or persons to be elected or appointed in such manner as the General Assembly shall direct, and not otherwise."*

And the following amendment thereto, offered by Mr. Starne :

Amend by adding : "That the General Assembly shall have the further power to levy an excise tax on whisky and distilled spirits manufactured in this State."

On motion of Mr. Henry,

The previous question was ordered.

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Casey, Castle, Crews, Cusey, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, Murphy, Nicholson, Palmer, Shepard, Starne, Steele, Upton, Ware, Whiting, Yager—24.

Those voting in the negative are,

Messrs. Green, Reynolds, Sanford, Sheldon, Williamson—5.

The question then being, "Shall the resolution as amended be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote, (two-thirds not voting in the affirmative) :

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Casey, Castle, Crews, Cummings, Cunningham, Cusey, Donahue, Glenn, Gundlach, Hampton, Hinchcliffe, Murphy, Nicholson, Palmer, Starne, Steele, Upton, Ware, Warren, Yager—23.

Those voting in the negative are,

Messrs. Archer, Dow, Green, Henry, Jacobs, Kehoe, Lee, McGrath, Patterson, Reynolds, Sanford, Sheldon, Shepard, Strong, Waite, Whiting, Williamson—17.

Mr. Waite moved to reconsider the vote whereby the resolution was lost.

Mr. Henry moved that the motion to reconsider lie on the table.

The question then being, "Shall the motion to reconsider lie on the table?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Castle, Dow, Green, Henry, Jacobs, Lee, Patterson, Reynolds, Sanford, Shepard Strong, Upton, Whiting, Williamson, Yager—16.

Those voting in the negative are,

Messrs. Baldwin, Brooks, Burke, Casey, Cummings, Cusey, Donahue, Glenn, Gundlach, Hampton, Kehoe, Murphy, Nicholson, Palmer, Short, Starne, Steele, Waite, Ware, Warren—20.

The question then being, "Shall the vote whereby the resolution was lost be reconsidered?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Casey, Crews, Cummings, Donahue, Glenn, Gundlach, Hampton, Hinchcliffe, Kehoe, Murphy, Nicholson, Palmer, Short, Starne, Steele, Upton, Ware, Warren, Yager—22.

Those voting in the negative are,

Messrs. Archer, Cunningham, Dow, Green, Henry, Jacobs, Lee, McGrath, Patterson, Reynolds, Sanford, Shepard, Strong, Waite, Whiting, Wilcox—16.

On motion of Mr. Cummings,

The resolution was referred to the committee on revenue.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of bills of the following titles, to-wit:

Senate bill, No. 614, for "An act making an appropriation for the payment of the claim of A. Paine, for binding the first and second volumes of the report of the geological survey of Illinois."

Senate bill, No. 552, for "An act to appropriate money for the purchase of furniture and bedding for the Illinois Soldiers' Orphans' Home."

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, viz:

Senate bill, No. 459, for "An act to revise the law in relation to mines."

Senate bill, No. 478, for "An act to revise the law in relation to township insurance companies."

Senate bill, No. 481, for "An act to revise the law in relation to toll-roads."

House bill, No. 606, for "An act to revise the law in relation to attachments of boats, vessels and rafts."

House bill, No. 856, for "An act to enable library associations to sell and transfer their real and personal property."

Senate bill, No. 280, for "An act to revise the law in relation to changes of venue."

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 25th day of March, 1874, laid before the Governor for his approval, viz:

Senate bill, No. 119, for "An act to fix the liability of common carriers receiving property for transportation."

Senate bill, No. 192, for "An act regulating the labor of the convicts of the penitentiary of the State."

Senate bill, No. 238, for "An act to make an appropriation for compensation to military companies for services rendered in the city of Chicago in the month of October, 1871."

Senate bill, No. 296, for "An act to secure the free passage of fish in all the waters of this State."

Senate bill, No. 330, for "An act making an appropriation for buildings and other improvements for the State Reform School and for the purchase of stock."

Senate bill, No. 348, for "An act to revise the law in relation to idiots, lunatics, drunkards and spendthrifts."

Senate bill, No. 403, for "An act to revise the law in relation to liens."

Senate bill, No. 442, for "An act to revise the law in relation to clerks of courts."

Senate bill, No. 456, for "An act to revise the law in relation to injunctions."

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that a bill of the following title has been correctly engrossed :

Senate bill, No. 538, for "An act to amend section 54, of article 9, of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, 1872."

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in their amendments to bills of the following titles, to-wit :

House bill, No. 603, for "An act to revise the law in relation to the department of agriculture, county agricultural boards and agricultural fairs."

House bill, No. 607, for "An act in regard to attorneys general and State's attorneys."

House bill, No. 730, for "An act to amend an act entitled 'an act to prevent extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to punish the same and prescribe a mode of procedure and rules of evidence in relation thereto,' and to repeal an act entitled 'an act to prevent unjust discriminations and extortions in the rates to be charged by the different railroads in this State for the transportation of freights on said roads,' approved April 7, A. D. 1871."

Mr. Steele made the following report :

*To the President of the Senate :*

The committee of conference on the disagreement of the Senate and House of Representatives on Senate bill, No. 279, for "An act to revise the law in relation to Secretary of State," make report, recommending as follows :

1. That the House recede from its amendment to section 8.
2. That line 3, in section 5, of printed bill, be amended by inserting after the word "lay" the words "a certified copy of."
3. That line 20, in section 5, of printed bill, be amended by inserting after the word "used" the words "for other than public purposes."
4. That line 26, in section 5, of printed bill, be amended by inserting after the word "Auditor" the words "Superintendent of Public Instruction."
5. That line 29, of section 5, of printed bill, be amended by striking out the words "properly required," and inserting the words "so directed by resolution of the General Assembly, or either branch thereof."

6. That the following sections be inserted between sections 8 and 9, to-wit:

"§ 9. Whenever any bill which shall have passed both houses of the General Assembly shall be returned by the Governor, with his objections thereto, and, upon reconsideration, shall pass both houses by the constitutional majority, it shall be authenticated as having become a law, by a certificate thereon, to the following effect, viz: This bill having been returned by the Governor, with his objections thereto, and after reconsideration having passed both houses by the constitutional majority, it has become a law this . . . . day of . . . ., A. D. . . . ; which, being signed by the President of the Senate and Speaker of the House of Representatives, shall be deemed a sufficient authentication thereof, and the bill shall, thereupon, be deposited with the laws in the office of the Secretary of State.

"§ 10. Whenever any bill which shall have passed both houses of the General Assembly shall not be returned by the Governor, or filed with his objections in the office of the Secretary of State, as required by section sixteen (16), of article five (5), of the constitution, it shall be the duty of the Secretary of State to authenticate the same by a certificate thereon, to the following effect, as the case may be, viz: This bill having remained with the Governor ten days, Sundays excepted, the General Assembly being in session, or the Governor having failed to return this bill to the General Assembly during its session, and having failed to file it in my office with his objections within ten days after the adjournment of the General Assembly, it has thereby become a law. Witness my hand this . . . . day of . . . ., A. D. . . ."

7. That section 9, in the printed bill, be renumbered section 11.

JAMES A. CONNOLLY,  
N. R. CASEY,  
W. W. WAENER,  
*House Committee.*

A. STAENE,  
C. B. STEELE,  
*Senate Committee.*

The question then being, "Shall the Senate agree with the committee of conference in their foregoing report on the bill?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Casey, Castle, Crews, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchliff, Hundley, Jacobs, Kehoe, Lee, McGrath, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Shepard, Starne, Steele, Strong, Upton, Voris, Ware, Warren, Whiting, Wilcox, Williamson, Yager, Mr. President—43.

Mr. Upton (by unanimous consent) called up House bill, No. 642, for "An act to revise the law in relation to the Illinois and Michigan canal, and for the improvement of the Illinois and Little Wabash rivers."

Which was read at large a second time, and,

On motion of Mr. Waite,

The further consideration of the same was postponed to and made the special order for 2:30 this o'clock P. M.

On motion of Mr. Brooks,

The rules were suspended, and House bill, No. 864, for "An act to amend an act entitled 'an act concerning circuit courts, and to fix the time for holding the same in the several counties in the judicial cir-

culits in the State of Illinois, exclusive of the county of Cook,' approved May 2, 1873," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 38, nays 5.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Casey, Castle, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Henry, Hinchcliffe, Hundley, Kehoe, Lee, McGrath, Nicholson, Palmer, Patterson, Reynolda, Sheldon, Short, Sterne Steele, Strong, Upton, Ware, Warren Whiting, Wilcox, Williamson, Yager, Mr. President—38.

Those voting in the negative are,

Messrs. Crews, Hampton, Jacobs, Murphy, Shepard—5.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and having received a vote of two-thirds of the members elected, was declared passed.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Upton (by unanimous consent) called up House message on Senate bill, No. 455, for "An act to revise the law in relation to husband and wife."

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments to the bill?"

Add to section 9 the following proviso: "*Provided*, that where husband and wife shall be living together, no transfer or conveyance of goods and chattels between such husband and wife shall be valid as against the rights and interests of any third person, unless such transfer or conveyance be in writing, and be acknowledged and recorded in the same manner as chattel mortgages are required to be acknowledged and recorded by the laws of this State, in cases where the possession of the property is to remain with the mortgagor."

Add in line 5, section 16, after the word "them," the words "in favor of creditors therefor."

It was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Casey, Castle, Crews, Cummings, Cunningham, Cusey, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, McGrath, Murphy, Nicholson, Palmer, Patterson, Reynolda, Sanford, Sheldon, Shepard, Short, Strong, Upton, Voria, Ware, Warren, Whiting, Wilcox, Williamson, Mr. President—39.

House bill, No. 623, for "An act to revise the law in relation to counties," was taken up for consideration, it being in the order of pending questions.

The question being, "Shall the Senate adopt the amendments thereto reported from the committee on counties and township organization?" it was decided in the affirmative.

Mr. Hampton offered the following amendment, which was lost:

Amend section 25, line 7, by adding after the word "county," as follows: "and to compromise and settle all judgments for penalties and recognizances when, in the opinion of the State's Attorney, the same cannot be collected by execution."

Mr. Jacobs offered the following amendment:

Amend by adding, at the end of section 25, these words:

"*Ninth*—To allow to the State's attorney such compensation for services rendered by him for the county or county officers, in matters where no other fee or compensation is prescribed therefor, as may be deemed reasonable by such county board."

The question being, "Shall the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Cummings, Dow, Ferrell, Green, Hampton, Jacobs, Patterson, Sanford, Sheldon, Voris, Waite, Ware, Warren, Wilcox, Mr. President—15.

Those voting in the negative are,

Messrs. Baldwin, Burke, Casey, Crews, Cusey, Donahue, Glenn, Henry, Hundley, Murphy, Nicholson, Palmer, Shepard, Steele, Upton, Yager—16.

Mr. Cummings offered the following amendment to the bill:

Strike out in line 7, section 26, the words "in counties not under township organization."

On motion of Mr. Gundlach,

Debate on the pending amendment was ordered closed.

The question being, "Shall the amendment offered by Mr. Cummings be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Burke, Casey, Castle, Crews, Cummings, Cunningham, Ferrell, Gundlach, Hampton, Hinchcliffe, Hundley, Kehoe, Nicholson, Palmer, Reynolds, Starnes, Steele, Strong, Voris, Warren, Yager—23.

Those voting in the negative are,

Messrs. Cusey, Dow, Green, Jacobs, Lee, Murphy, Patterson, Sanford, Sheldon, Shepard, Short, Ware, Whiting, Mr. President—11.

Mr. Short offered the following amendment, :

Amend section 26 by adding after the word "buildings," in the 8th line, these words: "costing over twenty-five thousand dollars."

Mr. Yager offered the following amendment to the amendment, which was lost:

Amend the amendment by striking out the words "twenty-five," and inserting in lieu thereof the word "two."

Mr. Sanford offered the following amendment to the amendment:

Amend the amendment by striking out the words "twenty-five," and inserting "seventy-five."

On motion of Mr. Palmer,

Debate on the pending amendments was ordered closed.

The question being "Shall the amendment to the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Cusey, Jacobs, Murphy, Sanford, Shepard, Whiting—6.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brooks, Canfield, Casey, Castle, Crews, Cummings, Cunningham, Dow, Ferrell, Green, Henry, Kehoe, Lee, McGrath, Nicholson, Palmer, Reynolds, Short, Starnes, Steele, Upton, Voris, Waite, Ware, Warren, Yager—27.

The question then being, "Shall the amendment offered by Mr. Short be adopted?" it was decided in the negative.

Mr. Archer offered the following amendment:

Amend by inserting after the word "buildings" the words "costing over five thousand dollars."

Mr. Lee offered the following amendment to the amendment, which was lost:

Amend the amendment by striking out the word "five," and insert in lieu thereof the word "ten."

The question then being, "Shall the amendment offered by Mr. Archer be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:



Those voting in the affirmative are,

Messrs. Archer, Baldwin, Burke, Casey, Castle, Cummings, Donahue, Dow, Glenn, Gundlach, Hampton, Hundley, Kehoe, Lee, McGrath, Murphy, Reynolds, Sheldon, Strong, Voris, Wilcox, Williamson—22.

Those voting in the negative are,

Messrs. Crews, Cunningham, Cusey, Ferrell, Green, Henry, Jacobs, Nicholson, Palmer, Sanford, Shepard, Steele, Waite, Ware, Whiting, Yager, Mr. President—17

Mr. Palmer moved to reconsider the vote whereby the following amendment was adopted :

Strike out in line 7, section 26, the words "in counties not under township organization."

Mr. Cummings moved that the motion to reconsider be ordered to lie on the table.

The question being, "Shall the motion to reconsider the vote whereby the amendment was adopted lie on the table?" and the yeas and nays being demanded, it was decided in the negative by the following vote :

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Casey, Castle, Crews, Cummings, Dow, Gundlach, Hundley, Kehoe, Reynolds, Starne, Strong, Upton, Voris, Waite, Wilcox—19.

Those voting in the negative are,

Messrs. Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Hampton, Henry, Jacobs, Lee, Murphy, Palmer, Sanford, Sheldon, Shepard, Short, Steele, Ware, Whiting, Williamson, Yager, Mr. President—23.

The question then being, "Shall the vote whereby the amendment was adopted be reconsidered?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Henry, Jacobs, Lee, Murphy, Nicholson, Palmer, Sanford, Sheldon, Shepard, Short, Ware, Whiting, Williamson, Mr. President—20

Those voting in the negative are,

Messrs. Archer, Baldwin, Brooks, Burke, Casey, Crews, Cummings, Dow, Gundlach, Hundley, Kehoe, McGrath, Reynolds, Starne, Strong, Voris, Wilcox, Yager—18.

On motion of Mr. Palmer,

Debate on the amendment was ordered closed.

The question then being, "Shall the amendment offered by Mr. Cummings be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Burke, Casey, Crews, Cummings, Cunningham, Dow, Gundlach, Hundley, Kehoe, McGrath, Reynolds, Starne, Steele, Voris, Waite, Wilcox, Yager—19.

Those voting in the negative are,

Messrs. Casey, Donahue, Glenn, Green, Henry, Jacobs, Lee, Nicholson, Palmer, Sanford, Sheldon, Shepard, Short, Upton, Whiting, Mr. President—16.

Pending the further consideration of the bill,

On motion of Mr. Kehoe,

The Senate, at 12:30 o'clock P. M., adjourned until 2:30 o'clock P. M.

**TWO-THIRTY O'CLOCK P. M.**

The Senate met, pursuant to adjournment.

The President announced the time for the consideration of the special order, being House bill, No. 642, for "An act to revise the law in relation to the Illinois and Michigan canal, and for the improvement of the Illinois and Little Wabash rivers," in the order of pending questions.

On motion of Mr. Waite,

The rules were suspended and the bill was ordered to be read a third time.

A message from the Governor, by Philo J. Beveridge, Private Secretary :

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, viz :

Senate bill, No. 192, for "An act regulating the labor of the convicts of the penitentiary of the State."

Senate bill, No. 238, for "An act to make appropriation for compensation to military companies for services rendered in the city of Chicago in the month of October, 1871."

Senate bill, No. 296, for "An act to secure the free passage of fish in all the waters of this State."

ings and other improvements for the State Reform School, and for the purchase of stock."

Senate bill, No. 442, for "An act to revise the law in relation to clerks of courts."

Senate bill, No. 456, for "An act to revise the law in relation to injunction."

A message from the Governor, by Philo J. Beveridge, Private Sec'y :

Mr. President: I am directed by the Governor to lay before the Senate the following written communication :

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, March 25, 1874.

*To the Honorable the Senate :*

I have the honor to nominate and (by and with the advice and consent of the Senate) to appoint Daniel G. Johnson, of Kendall county, to be public administrator in and for said county, to fill a vacancy.

JOHN L. BEVERIDGE, *Governor.*

The consideration of House bill, No. 623, for "An act to revise the law in relation to counties," which was pending at the time of the last adjournment, was resumed.

Mr. Williamson offered the following amendment :

Amend section 26 by striking out all of the first clause of said section after the word "therefor," in line 6.

On motion of Mr. Nicholson,

Debate on the pending amendment was ordered closed.

The question then being, "Shall the amendment offered by Mr. Williamson be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Brooks, Cusey, Glenn, Green, Hampton, Henry, Hincheliffe, Jacobs, Murphy, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Steele, Upton, Whiting, Wilcox, Williamson, Mr. President—41.

Those voting in the negative are,

Messrs. Archer, Baldwin, Burke, Casey, Castle, Crews, Cummings, Dow, Gundlach, Kehoe, McGrath, Reynolds, Starne, Strong, Ware, Warren, Yager—17.

Mr. Cummings offered the following amendment, which was adopted :  
Strike out in line 4, section 38, the words "when this law goes into effect."

Mr. Cummings offered the following amendment, which was adopted :

Amend section 39 by adding: "Provided, that any surplus remaining in the treasury after full payment of such indebtedness, shall be transferred to the common fund of the county."

Mr. Reynolds offered the following amendment to the bill :

Amend by striking out all of section 59.

Mr. Sheldon moved the previous question ; which motion was decided in the negative.

After debate,

The question then being, "Shall the amendment, offered by Mr. Reynolds, be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote :

Those voting in the affirmative are,

Messrs. Casey, Dow, Kehoe, Reynolds, Waite—5.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brooks, Castle, Crews, Donahue, Ferrell, Glenn, Green, Henry, Hinchcliffe, Jacobs, Lee, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Short, Starne, Steele, Strong, Voris, Ware, Whiting, Wilcox, Williamson, Yager—29.

Mr. Hampton moved that the further consideration of the bill be postponed to and made the special order for Thursday, March 26, 1874, at 10:30 o'clock P. M.

The question being, "Shall the further consideration of the bill be postponed?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Casey, Cummings, Cunningham, Donahue, Dow, Glenn, Gundlach, Hampton, Jacobs, Kehoe, Lee, McGrath, Murphy, Reynolds, Sheldon, Short, Starne, Strong, Voris, Waite, Ware, Warren, Yager—26.

Those voting in the negative are,

Messrs. Archer, Castle, Crews, Cusey, Ferrell, Green, Nicholson, Palmer, Sanford, Steele, Whiting, Wilcox—12.

Mr. Starne called up House message on Senate bill, No. 472, for "An act to revise the law in relation to State contracts."

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments to the bill, as amended by the Senate?"

The following amendments to said bill were adopted by the House :

Strike out all after the enacting clause of section 1 and insert the following :

"That the Attorney-General, Secretary of State, the State Treasurer and the Auditor of Public Accounts shall be and are hereby declared to be (*ex-officio*) Commissioners of State Contracts. The officers above designated shall organize as the Board of Commissioners of State Contracts, on the first Monday of July, A. D. 1874, by the election of one of their number as chairman; and thereafter they shall hold stated quarterly meetings at such place and time as they shall determine. At any time the chairman, or any two of the commissioners, may call a special meeting of the board. Three of the commissioners shall constitute a quorum, and may do and perform all the acts and duties required to be done and performed by them by this or any other act of the General Assembly. The commissioners shall transact all business at stated or special meetings of the board, and shall cause to be kept a record of its proceedings."

Strike out sections 3, 4, 5, 6, 7, 8 and 9, and insert the following :

"§ 3. Between the first Monday in July and the first Monday in August, A. D. 1874, and biennially thereafter in the month of July, the Commissioners of State Contracts shall advertise at Springfield, in one of the daily papers published in that city, for proposals to furnish fuel to the State; and shall advertise at Springfield, Chicago and New York, in some one of the daily newspapers published in each of said cities, for

proposals to furnish printing and other paper and stationery to the State; and shall advertise at Springfield, Chicago, Peoria and Quincy, in some one of the daily newspapers published in each of said cities, for proposals to do the copying of the laws, journals, reports and other public documents of the State, and for the distribution of the same; for proposals to do the printing of the State, and proposals to do the binding of the State. Each of said advertisements for proposals shall be published ten days from and including the date of its first publication, and shall give notice that sealed proposals for furnishing the articles or performing the work required for the term of two years from the first Monday of November then next ensuing, will be received at the office of the Secretary of State, on or before the first Monday of September next after the date of said notice. The advertisement shall also set forth specifically what will be required of bidders under this act, and such other particulars as the commissioners shall deem proper. Any advertisement may embrace propositions for bids for all or a part of the materials to be furnished and work to be done, but shall solicit separate bids for each class of articles to be furnished or work to be done, and each of such classes shall be let in a separate contract.

“§ 4. Each bid for each class shall be accompanied by a bond in the sum of five thousand dollars, payable to the People of the State of Illinois, conditioned that, if such bid is accepted, the person making it will, within ten days after the award is made, enter into a contract as specified in the advertisement soliciting bids, and will execute a bond, conditioned for the faithful performance of such contract on his part, in such sum as the commissioners and Governor shall determine. Each bidder shall file his bond with the Governor when he files his bid with the Secretary of State, and no bid shall be received until such bond shall have been deposited with the Governor. The Governor shall retain said bond until the award has been made; and then shall file in the office of the Secretary of State the bond of the successful bidder.

“§ 5. At the time designated in the advertisement for opening bids, the commissioners, at a meeting called for the purpose, shall, in the presence of the Governor, open the bids and proceed publicly to award the contract for each class of work to be done and materials to be furnished to the lowest bidder therefor, taking bond from him in an amount to be fixed by the board and the Governor, but not to exceed ten thousand dollars, conditioned for the faithful performance of the contract, but for good cause the board may adjourn said meeting to any time within ten days, at which adjourned meeting said board shall make the award, as herein specified: *Provided*, that nothing in this act shall be construed so as to prevent the same person from bidding for more than one class of the work to be done or articles to be furnished; and that when any person, bidding for more than one class as aforesaid, shall be the lowest bidder for each class so bid for, to him shall be awarded the contract for all the classes for which he has bid: *And, provided, further*, that said commissioners, with the consent of the Governor, may reject any or all bids, and that no contract shall be made without the approval of the Governor. If two or more persons bid the same price for either class of the work to be done or articles to be furnished, and said price is the lowest for that class, the commissioners shall award the contract to such one of said bidders as they shall decide by lot to award it to. In determining the lowest bid for printing, the commissioners shall call to their aid the printer expert herein provided for.

"§ 6. If, for any reason, any contract required to be let shall not be let at the time contemplated by this act, and whenever, on account of any contract being canceled, or for other cause, any contract is required to be let at any other time, the commissioners shall fix the time when they will receive bids therefor, and shall solicit and receive such bids and make awards as nearly as may be in the same manner and upon the same terms as hereinbefore provided.

"§ 7. If a contractor shall fail to fulfill his contract the commissioners may cancel the contract, and having done so shall notify him, in writing, specifying their reasons for so doing.

"§ 8. No contract shall be let to any person holding any State office in this State or a seat in the General Assembly, or to any person employed in either of the executive offices of the State, or to the wife of a State officer, member of the General Assembly, or employee as aforesaid, nor shall any State officer member of the General Assembly or wife or employee as aforesaid become, directly or indirectly, interested in any such contract, under penalty of forfeiting such contract at the option of the commissioners, and being fined not exceeding one thousand dollars.

"§ 9. Any person who shall offer or pay to any person any money or other valuable thing, to induce such person to not bid for a State contract, or as a recompense to him for not having bid for such contract, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by imprisonment in the penitentiary not longer than one year. Any person who shall accept any money or other valuable thing for not bidding for a State contract, or who shall withhold a bid in consideration of a promise of the payment of money or other valuable thing, shall be guilty of a misdemeanor, and, on conviction thereof, shall be imprisoned in the penitentiary not longer than three years."

Strike out sections 11, 12, 13 and 14, and insert the following :

"§ 11. Every bill for articles furnished or work done by any contractor under this act, shall contain a detailed itemized account, in such form that the same may be readily compared with his contract, and shall also contain such other particulars as may be directed by the commissioners. Every bill shall first be presented to the Secretary of State, who shall (except as provided in section twenty-two of this act) carefully examine and compare the same with the vouchers and orders in his possession. If any error is found in any account, the Secretary shall immediately correct the same and return the account to the contractor. When the account is found to be correct, or has been corrected and adjusted, the Secretary shall certify the same, with the contract, vouchers and orders, to the commissioners, who shall carefully examine the same. When an account has been approved by the commissioners, the Auditor of Public Accounts shall draw his warrant upon the treasury for the amount thereof, payable out of any money appropriated for that purpose; but payments may be made on estimates of work done as the work progresses, upon the order of the Commissioners of State Contracts, approved by the Governor.

"§ 12. The printing of the State shall be and hereby is divided into six classes, to be let in separate contracts, as follows :

*First*—The printing (in bill form) of bills, resolutions and other documents, shall constitute the first class.

*Second*—The printing (in book or pamphlet form) of reports, communications and other documents, and of the volumes of reports, shall constitute the second class.

*Third*—The printing of the journals of the Senate and House of Representatives shall constitute the third class.

*Fourth*—The printing of the volume of laws with the joint resolutions, which shall be included in said volume, shall constitute the fourth class.

*Fifth*—The printing, stitching, ruling, lining, indexing and binding of election registers shall constitute the fifth class, each register to contain forty pages flat cap.

*Sixth*—All printing not included in the first, second, third and fourth classes, shall constitute the sixth class.

“§ 13. The public printing shall be done within the State, and the first, second and sixth classes shall be done at the State capital. All printing done under this act shall be delivered, at the expense of the contractor, to the order of the Secretary of State at the capital. The contractor for either class of the printing shall also pay the cost of transportation of paper to be used in such printing, from the office of the Secretary of State to the place where the printing may be done.

“§ 14. Each bid for either class of the public printing shall state the price per one thousand ems of composition, and per one hundred impressions of press work, at which the bidder will do the printing of the class covered by his bid. In stating the price of composition, the bidder shall state how much per thousand ems for plain composition, how much per thousand ems for figure work, and how much per thousand ems for rule and figure work.”

Strike out sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32, and insert the following :

“§ 15. All orders for printing, in addition to that authorized by this or some other act, shall be by joint resolution: *Provided*, that either house may order to be printed any bills or reports of committees of such house without the concurrence of the other branch of the General Assembly.

“§ 15½. The highest prices that may be paid for printing under this act, are as follows :

Sixty cents for each one thousand ems of plain composition.

Ninety cents for each one thousand ems of figure work.

One dollar and twenty cents for each one thousand ems of rule and figure work.

Twenty-five cents for each one hundred impressions of press-work: *Provided*, that any number of impressions fewer than two hundred on any job shall be counted as two hundred.

Each election register fifteen cents.

“§ 16. The type used in doing work of the first-class shall be small pica, composed in a measure six inches wide, and made up into pages ten and one-half inches long. Between the lines, in work of this class, there shall be a space not exceeding the width of a pica reglet: *Provided*, that if any matter in this class ought to be set solid, the printer expert herein provided for shall have authority to so decide and direct. In computing composition in this class, the type shall be measured as if it had been set solid, and necessary fractions of pages shall be counted as full pages, but no blank pages shall be charged for. In estimating press-work in this class, four pages shall be considered a form: *Provided*, that any number of pages fewer than four shall be considered a form when the copy of any job done in this class is not sufficient to make four pages, or shall make one or more full forms and a fractional part of another full form.

"§ 17. The type used in doing work of the second and third and fourth classes, shall be long primer, set solid, and made up into medium octavo pages, twenty-six ems pica in width, and forty-five ems pica in length, without unnecessary leads, blanks or broken lines: *Provided*, that indexes, tables, resolutions, the yeas and nays, and quoted matter, shall be printed in nonpareil solid: *And, provided, further*, that head lines, stating the subject of each section according to its number, set in nonpareil roman, leaded, in two columns, shall, in the volume of the laws, precede each act. The title of each bill in the volumes of the laws shall be set in long primer italics. In the printed journals each division list of the yeas and nays shall be in one paragraph, with the names run-in alphabetically, and the result given in the last line, and the report of each motion or resolution shall be embraced in one paragraph. In estimating composition in the second and third classes, a necessary fractional page shall be counted a full page, but no blank page shall be charged for. In estimating press-work in the second and third classes, sixteen pages shall be considered a form: *Provided*, that if any document make less than sixteen pages, or if the last form of any document is not a full form of sixteen pages, the same shall be counted as a full form. It shall be the duty of the printer expert and the Secretary of State to so direct the making up of forms in all classes of work as to avoid unnecessary charges for press-work.

"§ 18. Composition in the sixth class shall be estimated as follows:

"All work in pica, or in which type larger than pica predominates, shall be counted as pica. When any job is set in type smaller than pica, the composition shall be estimated by measuring the job according to the size of the type actually used; and if two or more sizes of type, smaller than pica, are used in the same job, such job shall be estimated by measuring each kind of type so used.

"All work such as letter heads, blanks and circulars, shall be measured by the surface actually covered, and not by the size of the sheet used: *Provided*, that no job shall be estimated at less than one thousand ems.

"§ 19. The contractors for the printing under this act shall promptly, and without delay, execute in a workmanlike manner all orders for printing issued to them under the provisions of this act.

"§ 20. The Governor shall appoint a practical printer, who has had experience in estimating book and job work, and who has worked at his trade at least six years, to prepare the specifications upon which bids for the public printing shall be made, to read proof, to measure the work, to estimate the amount of paper required for each job, and to examine the accounts according to the provisions of this act. Such practical printer shall be under the supervision of the Secretary of State, in his office; but in measuring and estimating the price of work and examining accounts, the printer expert shall not be subject to the orders of the Secretary. Any conflict of opinion between the Secretary and the printer expert, above provided for, on the construction of this act, or in reference to other matters relating to the contracts for printing, shall be referred to the Commissioners of State Contracts, and be decided by them. The said printer expert, before entering upon the discharge of his duties, shall take and subscribe to an oath that he will faithfully and honestly perform the duties imposed upon him, which oath shall be filed in the office of the Secretary of State. He shall receive for his services six dollars per day for each day of actual service, to be

certified by the Commissioners of State Contracts, and paid out of any money not otherwise appropriated, and shall be subject to removal at the pleasure of the Governor: *Provided*, that the commissioners shall not be bound by the action, opinion or measurement of said printer expert, but may inquire of and take the evidence of other experts upon all matters connected with said printing, but in no case shall they raise the estimate.

“§ 21. All printing under this act shall be ordered through the Secretary of State, who shall ascertain that the full number of copies of each job is received at his office, and shall deliver such work to the department for which it was done. The Secretary shall require the printer expert to keep a record of all printing ordered, and to file and preserve a copy of each document printed. The copy of each document printed, to be filed as aforesaid, shall, before it is filed, have indorsed upon it the number of copies ordered and received, the cost of the same, and the authority by which the printing thereof was ordered.

“§ 22. Every bill for printing done shall be presented to the Secretary of State, who shall require the printer expert, provided for in this act, to carefully examine and compare the same with the contract for said printing, and the vouchers and orders relating thereto. If any error is found in the account, the printer expert shall correct the same, and return the account to the contractor. If the account is found to be correct, or when it has been corrected, the printer expert shall certify the same to the commissioners, who shall carefully examine it, comparing it with the contract, vouchers and orders. If any conflict of opinion shall occur between the printer expert and the contractor concerning any account, the matter shall be determined and adjusted by the commissioners, and a minute of such adjustment entered in the record of the proceedings of the board.

“§ 23. The paper for the printing aforesaid shall be provided by the State. The Secretary of State shall, from time to time, as the same may be needed, deliver to each contractor paper for the printing said contractor is required by his contract to do, shall take from each contractor a receipt for all paper so delivered and shall keep an account of the same. At the biennial settlement, on or before the first Monday in November, each contractor shall deliver to the Secretary all paper then in his possession belonging to the State. The Secretary shall take note of the paper so returned, and if it is found that any of the paper delivered to the contractor has been wasted or converted to other use than that of the State, the contractor shall be charged with the value thereof, together with a penalty of fifty per cent. of the value of the paper so used or wasted, and the amount shall be deducted from his account: *Provided*, that an allowance of three per centum on the cost of said paper may be made for the usual wastage.”

Strike out sections 34, 35, 36, 37, 38, 39, 40, 41, 42 and 43, and insert the following:

“§ 24. The contractor for either class of the public printing shall deliver to the Secretary of State, with his bill for the printing, a copy of each document or other matter charged for in said bill. In said bill the contractor shall name each job printed, the number of copies printed of each job, the number of impressions of press-work in each job, the number of thousands of ems of plain, of figure-work, and of rule and figure-work composition in each job, and also the kind and quantity of paper used in each job.”



"§ 25. The printed journals of the Senate and House of Representatives shall contain each an index, which shall be prepared by the Secretary of State, who shall also prepare and furnish to the contractor for this class of printing a table of the contents and index of the volume of the laws and a table of the contents of the volumes of reports. The title page of the volume of the laws shall contain the following words: 'Printed by authority of the General Assembly of the State of Illinois.' The laws shall be arranged by the Secretary of State in alphabetical order, according to the subject matter, and be thus printed. The day on which an act was approved by the Governor shall be stated at the end of such act. All acts becoming law without the approval of the Governor shall be marked, in the volume of the laws, at the end of each of said acts, by the printed certificate of the said Secretary."

"§ 26. The Secretary of State shall, on or before the fifteenth day of December next preceding each regular session of the general assembly, report to the Governor the number of printing contracts, to whom the same were let, and at what prices, the amount of printing that has been done under said contracts and the cost thereof, and all other matters connected with the public printing."

"§ 27. Hereafter the number of public documents printed, bound and distributed by authority of the State, shall be as follows:

"1st. Governor's message, 8,000 copies, of which 6,000 shall be delivered to the members of the General Assembly, and 500 copies to the Governor, and the remaining 1,500 copies be retained for the volume of reports.

"2d. Report of Secretary of State, 3,000 copies, of which one copy shall be delivered to each member, and one to each officer of the General Assembly, 1,500 copies be retained for the volume of reports, and the remainder be delivered to the Secretary of State.

"3d. The financial report of the Auditor of Public Accounts, 3,000 copies, of which one copy shall be delivered to each member, and one copy to each officer of the General Assembly, one copy be sent to each county clerk, one copy to each county collector, 10 copies be retained for the State library, 1,500 copies for the volume of reports, and the remainder be delivered to the Auditor.

"4th. The insurance reports, 3,000 copies, one copy of which shall be delivered to each member, and one copy to each officer of the General Assembly, one copy be sent to each insurance company doing business in the State, 10 copies be retained for the State library, and 1,500 copies for the volume of reports, and the remainder be delivered to the officer in charge of State supervision of insurance companies.

"5th. The report of the State Treasurer, 2,000 copies, of which one copy shall be delivered to each member, and one to each officer of the General Assembly, 10 copies to be retained for the State library, and 1,500 copies for the volume of reports, and the remainder be delivered to the State Treasurer.

"6th. The report of the Superintendent of Public Instruction, 6,000 copies, one copy of which shall be delivered to each member, and one copy to each officer of the General Assembly, one copy be sent to each county superintendent of schools, one copy to each board of township trustees, 10 copies be retained for State library, and 1,500 copies for volume of reports, and the remainder be delivered to the State Superintendent of Public Instruction.

"7th. The report of the Adjutant General, 2,000 copies, of which one copy shall be delivered to each member, and one to each officer of the General Assembly, 10 copies be retained for the State library, and 1,500 copies for the volume of reports, and the remainder be delivered to the Adjutant General.

"8th. The report of the State Board of Agriculture, 10,000 copies, of which one copy shall be delivered to each member, and one copy to each officer of the General Assembly, 10 copies be retained for the State library, and 1,500 copies for the volume of reports, 1,000 copies be deposited with the Secretary of State for general distribution, and the remaining volumes be delivered to the State Board of Agriculture for judicious distribution.

"9th. The report of the Industrial University, 6,000 copies, of which one copy shall be delivered to each member, and one to each officer of the General Assembly, 10 copies be retained for the State library, and 1,500 copies for the volume of reports, 500 copies be delivered to the Secretary of State for distribution, and the remainder to the said university for judicious distribution.

"10th. The report of the State Board of Public Charities, 4,000 copies, of which one copy shall be delivered to each member, and one to each officer of the General Assembly, 10 copies be retained for the State library, and 1,500 copies for the volume of reports, one copy be sent to each public library in the State, one copy each to every judge, county clerk and sheriff, 500 copies be deposited in the office of the Secretary of State for general distribution, and the balance remaining be delivered to the Commissioners of Public Charities for such exchanges and judicious distribution as they may deem proper.

"11th. The report of the Railroad and Warehouse Commissioners, 5,000 copies, of which one copy shall be delivered to each member, and one to each officer of the General Assembly, 10 copies be retained for the State library, and 1,500 copies for the volume of reports, one copy be sent to each county clerk, one copy to each county board, 700 copies be delivered to the Secretary of State for general distribution, and the remainder to the said commissioners.

"12th. All other public reports (except reports of committees of the Senate and House of Representatives) required to be made to the Governor or the General Assembly, 3,500 copies each, of which one copy shall be delivered to each member, and one to each officer of the General Assembly, 10 copies be retained for the State library, and 1,500 copies for the volume of reports, 150 copies be delivered to the Secretary of State for general distribution, and the remainder to the institution, trustees, commissioners or officer making the report.

"13th. The volume of public laws, 8,000 copies, of which one copy shall be sent to each member of the General Assembly enacting the same, and one copy to each member of the first next succeeding General Assembly, and one copy to each judge, State's attorney, county and circuit clerk, supreme court clerk, each county board, sheriff, treasurer, county collector, two copies be delivered to each State department, 100 copies be retained for the State library, two copies for each public library, 10 copies for the supreme court law library of each division, and the remainder be delivered to the Secretary of State for judicious distribution.

"14th. The bound volumes of House and Senate journals, and volumes of reports, 1,500 copies, one copy to be sent to each member of the

General Assembly, one copy to each office of the executive department, 10 copies to the State library, and the remainder to the Secretary of State for judicious distribution.

"§ 28. The volumes of reports, herein provided for, shall include the following reports: The reports of the several State officers, institutions and departments required to be made to the Governor or the General Assembly (except reports of committees to the Senate and House of Representatives): *Provided*, that the Transactions of the Agricultural and Horticultural Societies, the report of the Railroad and Warehouse Commissioners, and Industrial University, and the report of the State Geologist, shall not be included in said volume of reports."

"§ 29. No report of any institution, department or officer shall exceed three hundred printed pages, unless the Commissioners of State Contracts and the Governor shall, for good cause, certify to the Secretary of State that the interests of the State require that such report shall exceed three hundred pages.

"§ 30. When the contractor for the public printing is ordered to print any report or other document that is also to appear in the volume of reports, he shall print upon the same type 1,500 copies of each of said reports or other documents, with bracket folios for such volumes of reports. There shall be no charge for composition for the fifteen hundred copies of reports inserted in said volumes of reports, but the contractors for work that is bound in the volume of reports shall be allowed to charge fifty cents for each form that goes into said volumes, as compensation for inserting the bracket folios, changing the title to a bastard title, and re-imposing the forms to prevent more than one blank page being inserted at any one place in said volume.

"§ 31. The volumes of reports shall contain no reports, communications, or other matters that are to be inserted in the laws and journals of the same year, and the various reports, communications and other documents inserted therein shall follow each other in as close compact order as is consistent with good workmanship, without the intervention of unnecessary blanks or separate title or half title pages, and the paging thereof shall be consecutive, and at the conclusion of each volume there shall be an index, referring to the particular page at which each separate document commences.

"§ 32. In every case provided in this act for the 1,500 copies of reports or documents to be placed in the bound volume of reports, it shall be the duty of the Secretary of State to order the delivery of said 1,500 copies to the contractor for binding that class of work, and said contractor shall bind and deliver such volumes of reports as prescribed in this act. The Commissioners of State Contracts shall designate what reports shall comprise a volume, and the size of each volume of the reports herein required to be bound.

"§ 33. The contractor for printing shall deliver all book and pamphlet work to the contractor for public binding, in sheets containing not less than sixteen pages each: *Provided*, that if any document make less than sixteen pages, or if the last form of any document is not a full form of sixteen pages, then such smaller sheets shall be delivered to the contractor for binding as printed.

"§ 34. It shall be the duty of the Secretary of State and the printer expert, in ordering printing, by combining orders, or otherwise, as far as possible, to prevent charges for constructive or double composition, and the public printer shall follow such directions.

*“Binding.—* § 35. The binding for the State shall be and hereby is divided into five classes, as follows:

*“First.—*The folding, sewing with two twines, and trimming of the laws, journals and volumes of reports, and the binding thereof in leather backs and substantial pasteboard sides, covered with blue paper, and title stamped in gold on back, shall constitute the first class.

*“Second.—*The folding, sewing with two twines, and trimming of the laws and journals, and the binding thereof in law-sheep backs and corners and No. 20 far-board sides, covered with good American comb-marble paper, and title stamped in gold on the backs, shall constitute the second class.

*“Third.—*The folding, sewing with two twines and trimming of the reports of the executive departments and of public institutions, and the binding thereof in English cloth and binder's or cloth board sides, with title and any required ornament embossed in gold on the backs and blank fillets on the sides, shall constitute the third class.

*“Fourth.—*The folding, stitching with three holes and trimming of reports to the General Assembly, or either house thereof, and other documents, and the binding of said reports in paper covers, with the title page printed thereon, shall constitute the fourth class.

*“Fifth.—*The folding, stitching and trimming of bills shall constitute the fifth class.

§ 36. The highest prices that may be paid for binding under this act, are as follows:

“For the first class, per volume, twenty-five cents.

“For the second class, per volume, fifty cents.

“For the third class, per volume, thirty cents.

“For the fourth class, per one hundred pages, three and one-half cents.

“For the fifth class, per one hundred pages, five cents.

§ 37. Of the number of laws, journals and volumes of reports required to be printed, six hundred copies of the laws and three hundred copies of the journals and volumes of reports shall be bound in the second class of binding, as described in section 35 of this act; and of the number of reports required to be printed, three thousand copies each of that of the Superintendent of Public Instruction, and Railroad and Warehouse Commissioners; two thousand copies of each of the State Board of Public Charities and Industrial University; five hundred copies each of the Auditor of State, Secretary of State and other State officers, and insurance report and ten thousand of the report of the State Board of Agriculture, shall be bound in the third class of binding as described in section 35 of this act. The laws, journals and volumes of reports, except as hereinbefore provided in this section, shall be bound in the first class of binding as described in section 35 of this act; the reports, except as hereinbefore provided in this section, shall be bound in the fourth class of binding, as described in section 35 of this act.

§ 38. The Commissioners of State Contracts shall furnish bidders with samples of the first, second, third and fourth classes of binding, and duplicates of such samples shall be preserved by the commissioners until final settlement is made between the contractors and the State for such binding.

§ 39. In case it shall be necessary for the Commissioners of State Contracts to order the binding of any volume or other work not provided for in this act, the compensation therefor shall be proportionate to the contract prices under which similar work is being executed by the contractor for binding.

“§ 40. Each bid for folding, stitching or sewing, trimming and binding shall specify the price at which the bidder will do each kind of work as specified in sections 35 and 36, and no contract shall be let for the doing of any such work at a higher rate than is specified in said sections.

“§ 41. The binders shall fold, stitch or sew, and bind all work required of him by his contract in a workmanlike manner and promptly, so that the public business may not be delayed, and shall deliver the same to the Secretary of State, taking his receipt therefor.

“§ 42. The Secretary of State, when he receives binding, shall ascertain whether it has been executed as required by contract, and if thus executed, he shall give to the binder his receipt therefor. If the binding is not executed as required by contract, the Secretary may, with the approval of the Commissioners of State Contracts, receive the same, giving his receipt therefor, in which receipt he shall state the defects in the work, and the amount to be deducted from the contractor's bill for such defects—which deductions shall be determined by the commissioners, and charged against said contractors by the Secretary of State.

“*Copying, etc.*—§ 43. No contract for the copying of the laws, joint resolutions and journals shall be made for a greater sum or rate than five cents per one hundred words, actual count.”

Strike out sections 48, 49, 50 and 51, and insert as follows:

“*Stationery and printing paper.*—§ 48. The maximum price of news, book, cover and other paper used in doing the State printing, and of all articles of stationery used by the State, shall be five per centum greater than the market price of such paper and articles, at wholesale, in the city of Chicago, at the time of the making of the contract, and no contract shall be made at any higher rate.

“§ 49. Every advertisement for bids for news, book, cover and other paper and stationery for the use of the State shall specify, as near as may be, the kinds, quality and quantity required, and shall also specify the size and weight per ream of each kind required. Separate bids shall be made for the different kinds of paper required for doing the State printing. All other stationery may be included in one bid.

“§ 50. The Commissioners of State Contracts shall furnish bidders samples of book, flat, cover and other printing papers, and of all legal cap, letter note and other papers, and all articles of stationery required by the State officers, and duplicates of such samples shall be preserved by them until final settlement is made between the contractor and the State for all articles furnished, of which the samples were the standard of quality.”

At the end of section 58 insert the following: “Ten copies for the State library, and the remaining copies shall be deposited with the Secretary of State for the use of future general assemblies.”

In section 59, where the words “one copy to each judge of a circuit court” occurs, strike out “judge” and insert “clerk.”

The following are the Senate amendments thereto:

Amend section 27, clause 6, by striking out, in lines 26 and 27, the words and figures: “1,500 copies for the volumes of reports,” and insert “one thousand copies, to be delivered equally to the members of the General Assembly.”

And amend section 28, by inserting in line 5, after the word “university,” “and the report of the State Superintendent of Public Instruction.”

And the Senate concurred with the House of Representatives in the adoption of the foregoing amendment to the bill, as amended by the Senate, by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Casey, Castle, Crews, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, Lee, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sanford, Short, Sterne, Steele, Strong, Upton, Voria, Ware, Warren, Whiting, Wilcox, Williamson, Yager, Mr. President—39.

A message from the Governor, by Philo J. Beveridge, Private Sec'y :

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, viz :

Senate bill, No. 403, for "An act to revise the law in relation to liens."

Senate bill, No. 265, for "An act to revise the law in relation to the rate of interest."

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has adopted the following resolution, to-wit :

WHEREAS, the Hon. H. B. Bishop, a member of this House, has not been present during the adjourned session of this General Assembly; and whereas, the said Hon. H. B. Bishop has deserted his family and departed for parts unknown to this House; and whereas, the warrants for his per diem are now in the hands of the Auditor; therefore,

*Be it resolved by the House of Representatives, the Senate concurring therein.* That the Auditor is hereby directed to turn over all warrants and claims to the wife of Hon. H. B. Bishop, or any other person she may authorize, and that the Treasurer is hereby directed to pay said warrants, on presentation by the said Mrs. Bishop, or any person authorized by her.

In the passage of which I am instructed to ask the concurrence of the Senate.

By unanimous consent,

On motion of Mr. Ferrell,

The foregoing message from the House of Representatives was taken up for consideration.

The question being, "Shall the Senate concur with the House of Representatives in the adoption of the resolution?" it was decided in the affirmative.

Mr. Sanford made the following report :

HON. JOHN EARLY, *President of the Senate* :

The committee of conference of the Senate and House, to which was referred House bill, No. 608, for "An act to revise the law in relation to attorneys and counselors," have had the same and the Senate amendments thereto under consideration, and ask leave to make the following report :

Your committee recommend that the Senate do recede from its amendments to said bill by which section thirteen (13) was added thereto, and that the House do concur with all the other Senate amendments made to said bill.

P. H. SANFORD,  
THOS. S. CASEY,  
C. W. UPTON,  
*Committee of the Senate.*

E. H. JOHNSON,  
J. E. MCPHERHAN,  
F. A. LEITZE,  
*Committee of the House.*

The question being, "Shall the Senate agree with the committee of conference in their foregoing report on the bill?" it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Casey, Castle, Crews, Cunningham, Cusey, Donahue, Dow, Early, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, Lee, Murphy, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Henry, Hinchcliffe, Jacobs, Kehoe, Lee, Murphy, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Short, Starne, Steele, Upton, Voris, Warren, Wilcox, Williamson, Yager, Mr. President—36.

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred in the report and recommendations of the committee of conference of the Senate and House of Representatives in regard to the disagreement between the two houses upon Senate bill, No. 279, for "An act to revise the law in relation to the Secretary of State."

Also, That the House of Representatives has concurred in the report and recommendations of the committee of conference of the Senate and House of Representatives in regard to the disagreement between the two houses upon House bill, No. 608, for "An act to revise the law in relation to attorneys and counselors."

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 522, for "An act to authorize the Trustees of the State Reform School to lease the labor of the inmates."

Mr. Lee (by unanimous consent) called up House bill, No. 891, for "An act to amend section 22 of 'an act concerning jurors, and to repeal certain acts therein named,' approved March 12, 1874."

Which was read at large a second time, and ordered on file to be considered by sections.

On motion of Mr. Lee,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

And the question being, "Shall this bill be read at large a third time?" it was decided in the affirmative.

Mr. Kehoe moved that the rules be suspended, for the purpose of receiving a report from the committee on municipalities; which motion was decided in the negative.

House bill, No. 371, for "An act to insure the better professional education of practitioners of dental surgery in the State of Illinois," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 17, nays 12.

Those voting in the affirmative are,

Messrs. Baldwin, Burke, Cusey, Dow, Glenn, Hinchcliffe, Henry, Kehoe, Nicholson, Patterson, Reynolds, Starne, Waite, Whiting, Wilcox, Williamson, Yager—17.

Those voting in the negative are,

Messrs. Brooks, Casey, Castle, Crews, Cummings, Ferrell, Hampton, Jacobs, Murphy, Sheldon, Strong, Ware—12.

Mr. Kehoe moved to suspend the rules for the purpose of receiving a report from the committee on municipalities.

The question being, "Shall the rules be suspended to receive a report from said committee?" and the yeas and nays being demanded, it was decided in the negative by the following vote, (two-thirds not voting in the affirmative):

Those voting in the affirmative are,

Messrs. Archer, Burke, Casey, Dow, Glenn, Henry, Hinchcliffe, Kehoe, McGrath, Murphy, Reynolds, Sheldon, Starne, Steele, Waite, Wilcox, Yager—17.

Those voting in the negative are,

Messrs. Baldwin, Crews, Cummings, Cusey, Ferrell, Green, Hampton, Jacobs, Nicholson, Palmer, Patterson, Short, Strong—13.

House bill, No. 433, for "An act to amend section 47 of an act entitled 'an act in regard to evidence and depositions in civil cases,' approved March 29, A. D. 1872," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 2.

Those voting in the affirmative are,

Messrs. Brooks, Casey, Cummings, Cunningham, Cusey, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Short, Steele, Strong, Waite, Ware, Warren, Whiting, Williamson—29.

Messrs. Kehoe and Lee voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Kehoe moved that the rules be suspended for the purpose of receiving a report from a special committee.

The question then being, "Shall the rules be suspended for the purpose of receiving a report from a special committee?" and the yeas and nays being demanded, it was decided in the negative by the following vote, (two-thirds not voting in the affirmative):

Those voting in the affirmative are,

Messrs. Burke, Casey, Cunningham, Cusey, Dow, Ferrell, Glenn, Henry, Hinchcliffe, Kehoe, McGrath, Short, Wilcox, Williamson, Yager, Mr. President—16.

Those voting in the negative are,

Messrs. Cummings, Green, Gundlach, Hampton, Jacobs, Murphy, Nicholson, Patterson, Reynolds, Sanford, Sheldon, Starnes, Strong, Voris, Whiting—15.

House bill, No. 410, for "An act to amend section one of an act entitled 'an act making appropriations for the payment of the indebtedness of the Soldiers' Orphans' Home,' having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 32, nays 3.

Those voting in the affirmative are,

Messrs. Baldwin, Castle, Crews, Cummings, Cunningham, Cusey, Donahue, Dow, Early, Ferrell, Glenn, Green, Hampton, Hinchcliffe, Jacobs, Kehoe, Lee, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Starnes, Steele, Upton, Waite, Ware, Whiting, Wilcox, Mr. President—32.

Those voting in the negative are,

Messrs. Gundlach, Murphy, Voris—3.

Mr. Shepard offered the following amendment to the title of the bill, which was adopted:

Add to title "approved March 12, 1872."

Ordered that the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Crews, at 5:07 o'clock, P. M., moved that the Senate adjourn until 9:30 o'clock to-morrow morning.

The question being, "Shall the Senate adjourn until 9:30 o'clock A. M. to-morrow?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Casey, Cummings, Ferrell, Hampton, Hinchcliffe, Kehoe, Murphy, Sheldon, Starnes, Voris—11.

Those voting in the negative are,

Messrs. Baldwin, Burke, Castle, Cusey, Donahue, Dow, Glenn, Green, Gundlach, Henry, Jacobs, Nicholson, Palmer, Patterson, Sanford, Shepard, Short, Steele, Ware, Warren, Whiting, Wilcox, Yager—23.



House bill, No. 514, for "An act to facilitate the settlement of accounts between counties, cities and towns and the State charitable institutions," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 28, nays 9.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Castle, Cunningham, Cusey, Donahue, Dow, Green, Hampton, Hinchcliffe, Jacobs, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Short, Strong, Waite, Ware, Whiting, Wilcox, Williamson, Yager, Mr. President—28.

Those voting in the negative are,

Messrs. Casey, Crews, Cummings, Glenn, Gundlach, Kehoe, McGrath, Voris, Warren—9.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in their amendments to House amendments to Senate bill, No. 472, for "An act to revise the law in relation to State contracts."

Mr. Hampton entered a motion to reconsider the vote whereby House bill, No. 514, for "An act to facilitate the settlement of accounts between counties, cities and towns, and the State charitable institutions" was passed.

On motion of Mr. Brooks,

The Senate, at 5:15 o'clock P. M., adjourned until 9:30 o'clock to-morrow morning.

#### THURSDAY, MARCH 26, 1874—9:30 O'clock A. M.

Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Webster.

The journal of yesterday was being read, when,

On motion of Mr. Voris,

The further reading of the same was dispensed with.

Mr. Steele (by unanimous consent) called up House bill, No. 712, for "An act to amend an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' in force July 1, 1872," for consideration by sections.

On motion of Mr. Steele,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

And the question being, "Shall this bill be read a third time?" it was decided in the affirmative, and,

On motion of Mr. Steele,

The rules were further suspended, and House bill, No. 712, for "An act amend an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' in force July 1, 1872," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 32, nays 1.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Casey, Crews, Cummings, Cunningham, Dow, Ferrell, Glenn, Green, Hampton, Henry, Jacobs, Kehoe, Lee, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Starns, Thompson, Upton, Voris, Whiting, Wilcox, Williamson, Mr. President—32.

Mr. Ware voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of bills of the following titles, to-wit:

Senate bill, No. 258, for "An act in regard to the action of accounts."

Senate bill, No. 558, for "An act to amend section 20 of an act entitled 'an act concerning conveyances,' approved March 29, 1872."

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 26th day of March, 1874, laid before the Governor for his approval, viz:

House bill, No. 730, for "An act to amend an act entitled 'an act to prevent extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to punish the same, and prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal an act entitled 'an act to prevent unjust discriminations and extortions in the rates to be charged by the different railroads in this State for the transportation of freights on said roads,' approved April 7, A. D. 1871."

House bill, No. 607, for "An act in regard to attorneys general and State's attorneys."

House bill, No. 864, for "An act to amend an act entitled 'an act concerning circuit courts, and to fix the time for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook,' approved May 2, 1873."

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and, on the 26th day of March, 1874, laid before the Governor for his approval, viz:

House bill, No. 741, for "An act in relation to courts of record in cities."

House bill, No. 815, for "An act to extend the jurisdiction of county courts, and to provide for the practice thereof; to fix the time for holding the same, and to repeal an act therein named."

Mr. Sanford (by unanimous consent), from the committee on judiciary, to which was referred Senate bill, No. 592, for "An act to amend section 12 of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court;' to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' approved March 29, 1872," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill ordered to be read a third time.

Mr. Williamson (by unanimous consent) offered the following resolution:

WHEREAS the members of the joint committee of revision have received payment of their per diem only until the first day of November, 1873, while, in fact, they were necessarily engaged in the discharge of their duties upon said committee until the tenth day of December; therefore, be it

*Resolved by the Senate, the House of Representatives concurring herein,* That the members of said committee be paid, out of the proper appropriation, the per diem allowed by law to members of the General Assembly for the time they have been so engaged between the said first day of November and the tenth day of December, and that the President of the Senate and Speaker of the House make the proper certificate therefor.

On motion of Mr. Williamson,

The rules were suspended, for the purpose of considering the foregoing resolution.

The question being, "Shall the resolution be adopted?" it was decided in the affirmative.

Mr. Yager (by unanimous consent) made the following report, which was ordered printed:

The select committee, to which have been referred various petitions for the abolition of capital punishment, have had the same under consideration, and respectfully report as follows:

Governments, in all ages of the world, have established laws for the purpose of repressing crime, and have attached thereto such penalties as have been deemed essential to the object contemplated. Among other penalties, the punishment of death was at one time deemed necessary for the prevention, not only of the crime of murder, but for various other felonies, including the crime of petty larceny.

Society, in its advancing civilization, has blotted out the penalty of death for every offense except treason and murder, the latter crime being the only one practically punishable with death; and the penalty even for this crime is of such rare occurrence, and the enforcement of the law being attended with such difficulty, that it has indeed become a question with every reflective mind whether some other penalty should not be substituted therefor. If penalties are established for the purpose of repressing crime, then it must be admitted by all that those penalties which shall be *rigidly* and *uniformly* enforced will restrain the commission of crime where the uncertain penalty or the loosely administered law will not. The capital penalty is enforced only in exceptional instances, and then only after intense struggles in the public mind, at-

tended with passional feeling, and entailing great expense to the taxpayers in consequence of the numerous trials which are accorded the criminal, in the hope that society may be spared the assault upon its morals by the execution of a human being. The death penalty, being rarely enforced, utterly fails to accomplish the object contemplated, viz: the suppression of the crime of murder. It is the *certainty* and not the *severity* of the punishment that deters crime, and in this aspect of the case it would seem clear that the penalty of life imprisonment would subserve a much better purpose in the prevention of the crime of murder.

Michigan abolished capital punishment in the year 1846, and for *twenty-eight* years has illustrated the fact that society is better governed and crime more certainly punished than it was when it retained the penalty of death. The testimony of the prison commissioners, at different periods, is to the effect that the crime of murder has *decreased* in consequence of the abolition of capital punishment, and the uniform enforcement of the substituted penalty of life imprisonment.

Rhode Island abolished capital punishment in 1852, and for *twenty-two* years has refused to hang her criminal prisoners. The chief justice of the State, the Governor, Secretary of State, and the prison wardens, all concur in saying that the crime of murder is more certainly punished than it was under the capital penalty, and that, in consequence thereof, the crime of murder has *decreased*.

Wisconsin abolished capital punishment in 1853, and for twenty-one years has refused to stain her soil with the blood of her criminals. Society is just as safe, as secure, and as well guarded by the law of life imprisonment as it ever was under the statute of "blood for blood." Statistics show that the crime of murder has *decreased* under the substituted law, and for the same reason assigned for its decrease in Michigan and Rhode Island, viz: the rigid enforcement of the law of life imprisonment.

Attempts were formerly made to revive the death penalty in these States, but of late years these efforts have entirely ceased, there being a general acquiescence in the wisdom and beneficence of the law of life imprisonment.

Iowa abolished capital punishment in 1872. It being but two years since it was abolished, we have no information as to the workings of the law. We learn, however, that a bill to revive the death penalty was introduced in the House during the present session, but was indefinitely postponed, without discussion.

Your committee, firmly believing that the repeal of the death penalty in this State could have no other effect than to decrease the crime of murder, and that the substitution of life imprisonment would render convictions more certain where proof of guilt is clear; and further, believing that the spirit and genius of our institutions demand the abolition of capital punishment, respectfully report a bill for that purpose, and recommend the passage of the same.

J. H. YAGER, *Ch'm.*

Mr. Casey (by unanimous consent) made the following report, which was ordered printed:

TO HON. JOHN EARLY, *President of the Senate*:

The undersigned, a member of the special committee appointed to consider as to the feasibility of abolishing capital punishment in this State, respectfully submits this, his minority report:

A majority of the committee favor the abolishment of capital punishment. I cannot agree with them. The law, as it is now, I think just and wise. It is flexible in its character. The penalty to be inflicted is left to the jury. It is safe to do so. The jury hear and know all the facts and circumstances proven. Imprisonment for life is no adequate punishment in cases of aggravated murder.

I think I may say that, since the enactment of the present law, no instance can be found where capital punishment has been improperly inflicted. And I do not believe that such a case will ever occur. Punishment must be commensurate with the crime committed. The safety and welfare of the people depend upon the prompt, impartial and faithful execution of the law. Abolish capital punishment, and I submit that, to many persons, imprisonment for life has no terrors, and that the orderly and law-abiding citizens of the State will be at the mercy of the vicious, wicked and depraved.

We know that public sentiment, or disgrace, will not prevent the commission of crime; and if correct in that, the next method of preserving the peace and quiet and lives of the people is to learn all persons to feel and know that a terrible punishment follows swiftly in the footsteps of crime. For these, and other reasons, I submit, respectfully, that capital punishment should not be abolished in this State.

All of which is respectfully submitted.

THOS. S. CASEY,  
*Of Special Committee.*

Mr. Yager (by unanimous consent) introduced Senate bill, No. 616, for "An act to repeal the penalty of death."

Which was ordered to a first reading.

On motion of Mr. Kehoe,

The rules were suspended, and Mr. Kehoe, from the committee on municipalities, to which was referred Senate bill, No. 596, for "An act in relation to gas companies," together with the amendments of the House of Representatives thereto, reported the same back and recommended that the Senate do not concur with the House of Representatives in the adoption of their amendment to the bill.

The question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendment to the bill?"

Amend by striking out the words "having over two hundred thousand inhabitants."

It was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Hampton, Henry, Yager—3.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Crews, Cummings, Cunningham, Dow, Ferrell, Glenn, Green, Jacobs, Lee, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Short, Starnes, Steele, Strong, Thompson, Upton, Voris, Waite, Ware, Warren, Whiting, Williamson, Mr. President—32.

On motion of Mr. Upton,

The rules were suspended, and House bill, No. 642, for "An act to revise the law in relation to the Illinois and Michigan canal, and for the improvement of the Illinois and Little Wabash rivers," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 37, nays 5.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Castle, Crews, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Hampton, Henry, Hincheliffe, Jacobs, Lee, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Steele, Strong, Thompson, Upton, Waite, Ware, Whiting, Wilcox, Williamson, Yager, Mr. President—37.

Those voting in the negative are,

Messrs. Burke, Casey, Gundlach, Starne, Voris—5.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Shepard (by unanimous consent) called up House bill, No. 834, for "An act to provide for the payment of the expenses of the Senate penitentiary investigating committee, and the expense of witnesses, and miscellaneous expenses of the House penitentiary committee," for consideration by sections.

The pending question being, "Shall the Senate adopt the amendment to the bill reported from the committee on appropriations?" it was decided in the affirmative.

Mr. Shepard offered the following amendment, which was adopted:

Amend by adding the following section:

"§ 2. The Auditor of Public Accounts is hereby directed to draw his warrants on the State Treasurer for the sums herein specified, to each person above named; and the State Treasurer is hereby directed to pay the same out of any funds in the treasury not otherwise appropriated."

Section 1 of the bill as amended was adopted.

The question being, "Shall this bill be read a third time?" it was decided in the affirmative, and

The amendments were ordered printed.

Mr. Wilcox (by unanimous consent), from the committee on state charitable and educational institutions, to which was referred House bill, No. 882, for "An act to provide for the election and prescribe the duties of the supervisor of State institutions, and to revise the law in relation to the State charitable institutions," reported the same back with amendments, and recommended their adoption, and that the bill as amended be passed.

On motion of Mr. Lee,

The amendments were ordered printed and the bill ordered placed on file in pending questions.

On motion of Mr. Cummings,

The rules were suspended, and House bill, No. 310, for "An act to provide for the sale of unclaimed property by common carriers, warehousemen and innkeepers," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 40, nays 1.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Casey, Castle, Crews, Cummings, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Jacobs, Kehoe, Lee, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Shepard, Short, Steele, Strong, Upton, Voris, Waite, Warren, Whiting, Wilcox, Williamson, Yager, Mr. President—40.

Mr. Starne voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been

correctly enrolled, and on the 26th day of March, 1874, laid before the Governor for his approval, viz :

Senate bill, No. 315, for "An act to revise the law in relation to mortgages of real and personal property."

Senate bill, No. 489, for "An act in relation to the office of chancellor in universities of learning."

Senate bill, No. 493, for "An act to amend an act entitled 'an act in regard to roads and bridges in counties under township organization.'"

Senate bill, No. 522, for "An act authorizing the Trustees of the State Reform School to lease the labor of the inmates."

Senate bill, No. 552, for "An act to appropriate money for the purchase of furniture and bedding for the Illinois Soldiers' Orphans' Home."

Senate bill, No. 587, for "An act to amend an act entitled 'an act concerning circuit courts, and to fix the times for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook,' approved May 2, 1873."

Senate bill, No. 614, for "An act making an appropriation for the payment of the claim of A. Paine, for binding the first and second volumes of the report of the geological survey of Illinois."

The President, at 10:30 o'clock, A. M., announced the time for the consideration of the special order, being House bill, No. 623, for "An act to revise the law in relation to counties."

The pending question being, "Shall the bill be read a third time?" it was decided in the affirmative, and

The amendments were ordered printed.

On motion of Mr. Ferrell,

The rules were suspended, and House bill, No. 425, for "An act making an appropriation for the benefit of the State Board of Agriculture, and of county agricultural boards," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 32, nays 8.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brown, Cummings, Cusey, Dow, Ferrell, Glenn, Gundlach, Hampton, Henry, Jacobs, Lea, Murphy, Nicholson, Palmer, Patterson, Sanford, Shepard, Short, Starne, Steele, Strong, Thompson, Upton, Waite, Ware, Warren, Whiting, Williamson, Mr. President—32

Those voting in the negative are,

Messrs. Burke, Casey, Crews, Donahue, Kehoe, McGrath, Reynolds, Wilcox—8.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Dow (by unanimous consent) called up Senate bill, No. 615, for "An act to amend an act entitled 'an act to enable counties, cities, townships, school districts and other municipal corporations to take up and cancel outstanding bonds and other evidences of indebtedness and fund the same,' approved and in force March 26, 1872."

Which was read at large a second time, and ordered on file to be considered by sections.

On motion of Mr. Dow,

The rules were suspended, and the bill was discharged from the order of consideration by sections.

On motion of Mr. Cummings,

The rules were suspended, and House bill, No. 880, for "An act to amend sections six (6) and seven (7) of article four (4) of an act entitled

'an act to provide for the incorporation of cities and villages,' in force July 1, 1872," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 33, nays 1.

Those voting in the affirmative are,

Messrs. Baldwin, Brown, Burke, Crews, Cummings, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Henry, Jacobs, Kehoe, McGrath, Murphy, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Shepard, Short, Starne, Steele, Strong, Voria, Waite, Ware, Warren, Whiting, Yager, Mr. President—33.

Mr. Lee voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

House bill, No. 891, for "An act to amend section twenty-two (22) of 'an act concerning jurors, and to repeal certain acts therein named,' approved March 12, 1874," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 41, nays 0.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Casey, Castle, Crews, Cummings, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Lee, McGrath, Murphy, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Short, Starne, Steele, Strong, Thompson, Voria, Waite, Ware, Warren, Whiting, Wilcox, Williamson, Mr. President—41.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and having received a vote of two-thirds of the members elected, was declared passed.

Mr. Lee offered the following amendment to the title, which was adopted:

Strike out the word and figures "March 12th," and insert "February 11th."

Ordered that the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Donahue called up the motion, entered by him on the 27th day of February, A. D. 1874, to reconsider the vote whereby House bill, No. 149, for "An act to appropriate fifty thousand dollars to complete the Douglas monument at Chicago," was lost.

The question being, "Shall the vote whereby the bill was lost be reconsidered?" it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Brooks, Brown, Casey, Cummings, Dow, Glenn, Hinchcliffe, Kehoe, Lee, McGrath, Reynolds, Thompson, Voria, Waite, Williamson, Yager—17.

Those voting in the negative are,

Messrs. Baldwin, Burke, Crews, Cusey, Donahue, Ferrell, Green, Hampton, Henry, Jacobs, Murphy, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Short, Starne, Strong, Warren, Whiting, Wilcox—23.

House bill, No. 806, for "An act to amend section six of 'an act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms,' approved March 7th, 1872," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 1.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Casey, Castle, Cummings, Cusey, Glenn, Green, Hampton, Henry, Jacobs, Kehoe, Murphy, Palmer, Patterson, Reynolds, Sanford, Sheldon, Short, Strong, Thompson, Upton, Waite, Whiting, Williamson, Yager, Mr. President—29.

Mr. Wilcox voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.



House bill, No. 735, for "An act to amend section 40 of an act entitled 'an act in regard to practice in courts of record,' approved February 22, 1872," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 32, nays 6.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Casey, Castle, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Henry, Hinchcliffe, Jacobs, Murphy, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Starnes, Strong, Thompson, Upton, Waite, Whiting, Williamson, Yager, Mr. President—32.

Those voting in the negative are,

Messrs. Crews, Cummings, Gundlach, Hampton, Kehoe, Warren—6.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of bills of the following titles, to-wit :

Senate bill, No. 611, for "An act to prevent the licensing of houses of ill-fame, and the inspection or medical examination of inmates of the same."

Senate bill, No. 458, for "An act to provide for the licensing of and against the evils arising from the sale of intoxicating liquors."

Senate bill, No. 577, for "An act to amend sections one (1), two (2), four (4), seven (7), nine (9) and twelve (12) of an act entitled 'an act for the registry of electors, and to prevent fraudulent voting,' approved February 15, 1865, and to repeal section 10 of said act."

On motion of Mr. Upton,

The rules were suspended, and House bill, No. 623, for "An act to revise the law in relation to counties," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 35, nays 8.

Those voting in the affirmative are,

Messrs. Archer, Brooks, Brown, Castle, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Lee, Murphy, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Short, Starnes, Steele, Strong, Thompson, Upton, Voris, Warren, Whiting, Wilcox, Williamson, Yager, Mr. President—35.

Those voting in the negative are,

Messrs. Burke, Casey, Crews, Cummings, Dow, Kehoe, Reynolds, Waite—8.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and having received a vote of two-thirds of the members elected, was declared passed.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

House bill, No. 810, for "An act to amend section 50 of an act entitled 'an act to establish and maintain a system of free schools,' approved April 1, 1872," having been printed, was read at large a third time.

After debate,

On motion of Mr. Voris,

The previous question was ordered.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 32, nays 5.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Casey, Cummings, Cusey, Donahue, Ferrell, Green, Gundlach, Henry, Jacobs, Kehoe, Lee, McGrath, Murphy, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Short, Steele, Strong, Upton, Waite, Warren, Wilcox, Williamson, Yager, Mr. President—32.

Those voting in the negative are,

Messrs. Crews, Dow, Hampton, Reynolds, Whiting—5.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Lee moved that the rules be suspended, for the purpose of considering House bill, No. 743, for "An act to secure to clergymen of all denominations free access to the penitentiary at Joliet, and all other penal, reformatory and charitable institutions in the State of Illinois," by sections.

The question being, "Shall the rules be suspended for the purpose of considering the bill?" and the yeas and nays being demanded, it was decided in the negative by the following vote, two-thirds not voting in the affirmative:

Those voting in the affirmative are,

Messrs. Brooks, Brown, Burke, Cummings, Dow, Glenn, Gundlach, Hinchcliffe, Jacobs, Kehoe, Lee, McGrath, Steele, Thompson, Waite, Warren, Wilcox, Williamson, Yager—19.

Those voting in the negative are,

Messrs. Crews, Cusey, Donahue, Green, Hampton, Henry, Nicholson, Palmer, Patterson, Reynolds, Sanford, Shepard, Strong, Whiting—14.

Mr. Lee, at 11:55 o'clock P. M., moved that the Senate adjourn.

The question being, "Shall the Senate adjourn?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Messrs. Lee and McGrath voted in the affirmative.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Cummings, Cusey, Donahue, Dow, Glenn, Green, Hampton, Henry, Jacobs, Nicholson, Palmer, Reynolds, Sanford, Sheldon, Shepard, Short, Starue, Steele, Strong, Warren, Whiting, Williamson, Yager, Mr. President—28.

House bill, No. 515, for "An act to amend an act entitled 'an act in relation to the penitentiary at Joliet, to be entitled 'an act to provide for the management of the Illinois State Penitentiary at Joliet,' approved June 16, 1871,'" having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 34, nays 3.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Crews, Cummings, Cusey, Donahue, Dow, Green, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, McGrath, Nicholson, Patterson, Reynolds, Sanford, Sheldon, Starue, Steele, Thompson, Upton, Voris, Waite, Warren, Whiting, Wilcox, Williamson, Yager, Mr. President—34.

Those voting in the negative are,

Messrs. Ferrell, Shepard, Strong—3.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and having received a vote of two-thirds of the members elected, was declared passed.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

House bill, No. 500, for "An act to amend section 14 of an act entitled 'an act to provide for the management of the Illinois State Penitentiary, at Joliet,'" having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 20, nays 18.

Those voting in the affirmative are,

Messrs. Baldwin, Crews, Cummings, Green, Hampton, Henry, Jacobs, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Steele, Thompson, Waite, Warren, Whiting, Williamson, Mr. President—20.

Those voting in the negative are,

Messrs. Archer, Brooks, Brown, Burke, Cusey, Donahue, Dow, Ferrell, Hinchcliffe, Kehoe, McGrath, Nicholson, Palmer, Starue, Strong, Upton, Voris, Wilcox—18.

House bill, No. 594, for "An act to amend an act entitled 'an act to provide for the incorporation of cities and villages,'" having been printed, was read at large a third time.

By unanimous consent, the following amendment was adopted, which was offered by Mr. Lee:

Amend by striking out all after the word "accordingly," in 10th line.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 11, nays 16.

Those voting in the affirmative are,

Messrs. Archer, Brooks, Brown, Gundlach, Hinchcliffe, Lee, Palmer, Patterson, Reynolds, Sheldon, Thompson—11.

Those voting in the negative are,

Messrs. Cummings, Ferrell, Green, Hampton, Jacobs, Kehoe, Nicholson, Sanford, Shepard, Strong, Voris, Waite, Warren, Whiting, Williamson, Mr. President—16.

On motion of Mr. Voris,

The Senate, at 12:25 o'clock P. M., adjourned until 2:30 o'clock P. M.

## TWO-THIRTY O'CLOCK, P. M.

Senate met, pursuant to adjournment.

Mr. Ferrell (by unanimous consent) offered the following resolution:

*Resolved by the Senate, the House of Representatives concurring herein, That when the two houses of this General Assembly shall adjourn on Thursday, April 2, they shall, respectively, stand adjourned sine die.*

On motion of Mr. Ferrell,

The rules were suspended, for the purpose of considering the foregoing resolution.

On motion of Mr. Cummings,

The previous question was ordered.

The question being, "Shall the resolution be adopted?" it was decided in the affirmative.

House bill, No. 17, for "An act to enable boards of underwriters incorporated by or under the laws of the State of Illinois to establish and maintain a fire patrol," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 30, nays 11.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Lee, Nicholson, Patterson, Reynolds, Sheldon, Shepard, Starue, Steele, Strong, Thompson, Upton, Voris, Waite, Warren, Wilcox, Mr. President—30.

Those voting in the negative are,

Messrs. Brooks, Brown, Burke, Casey, Crews, Jacobs, Kehoe, Palmer, Sanford, Ware, Yager—11.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Cusey (by unanimous consent), from the committee on roads, highways and bridges, to which was referred House bill, No. 837, for "An act to amend an act in regard to gateways, roads and bridges in counties not under township organization," approved April 18, 1873," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill was ordered on file to be considered by sections, and

On motion of Mr. Cusey,

The rules were suspended, and the bill was discharged from consideration by sections.

The question being, "Shall this bill be read a third time?" it was decided in the affirmative.

On motion of Mr. Ferrell,

The rules were suspended, and House bill, No. 837, for "An act to amend an act entitled 'an act in regard to gateways, roads and bridges in counties not under township organization,' approved April 18, 1873," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 32, nays 2.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Casey, Crews, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Jacobs, Nicholson, Palmer, Sanford, Sheldon, Short, Strong, Thompson, Voria, Waite, Ware, Warren, Whiting, Williamson, Yager, Mr. President—32.

Messrs. Burke and Kehoe voted in the negative.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

House bill, No. 719, for "An act to enable cities and villages to establish and regulate cemeteries," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 35, nays 4.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Burke, Cummings, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Henry, Jacobs, Kehoe, McGrath, Murphy, Palmer, Patterson, Sanford, Sheldon, Shepard, Short, Starna, Steele, Strong, Thompson, Upton, Waite, Ware, Warren, Whiting, Wilcox, Williamson, Yager, Mr. President—35.

Those voting in the negative are,

Messrs. Brown, Crews, Hampton, Reynolds—4.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Shepard,

The rules were suspended, and House bill, No. 834, for "An act for the payment of the expenses of the Senate penitentiary investigating committee and the expenses of witnesses and miscellaneous expenses of the House penitentiary committee," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 30, nays 1.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Cummings, Cusey, Donahue, Dow, Ferrell, Glenn, Green, McCliff, Kehoe, Lee, Nicholson, Palmer, Patterson, Sanford, Short, Starna, Strong, Thompson, Upton, Voria, Waite, Ware, Warren, Whiting, Williamson, Yager, Mr. President—30.

Mr. Hampton voted in the negative.

Mr. Sanford offered the following amendment to the title, which was adopted:

Amend title by adding "and expenses of other committees and persons."

Ordered that the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Upton (by unanimous consent) called up for consideration House bill, No. 882, for "An act to provide for the election and prescribe the

duties of the Supervisor of State Institutions, and to revise the law in relation to the State charitable institutions."

The amendments reported from the committee on state charitable and educational institutions being under consideration,

Mr. Sheldon offered the following amendment to the amendments reported from the committee, which was adopted:

Strike out in line 3 of blank section, to follow section 26, (committee's amendment), the words "and meat, flour, meal, sugar, coffee, tea and fuel."

Mr. Thompson offered the following amendment to the amendments reported from the committee:

Amend by striking out the following amendments reported from the committee on state charitable and educational institutions:

Amend section 1 by striking out all after the enacting clause.

Amend by striking out all of sections 2, 3, 4, 5, 6, 7, 8, 9, 10 and 56.

Amend section 12 by adding, at the close of the section, "*And, provided, further*, that no person shall be appointed or serve as trustee of more than one institution at one and the same time."

Amend section 13, by striking out the word "supervisor," in line 2.

Amend section 15, by inserting after the word "contract," in line 9, "nor to borrow money upon any pretext whatever."

Amend section 16, by striking out the words "subject to the approval of the supervisor;" also, by inserting after the word "shall," in line 2, the words "have power to;" also, by adding, at the close of the section, the words: "*Provided*, that no person shall be appointed superintendent of either of the Hospitals for the Insane, nor of the Institution for the education of Feeble-minded Children, who is not an educated and competent physician."

Amend, by inserting a new section, to follow section 16, as follows: "The principal executive officer of each of the public institutions, named in this act, shall be officially known and designated as the superintendent of said institution. The superintendent shall have charge of the premises, property and inmates, subject to the direction of the trustees, and shall, with the consent of the trustees, appoint all subordinate officers and employees, and assign them their respective duties, and may, at any time, discharge them from service. He shall see that all officers, agents and employees of the institution faithfully discharge their duties, and shall be directly responsible to the trustees for the economy, efficiency and success of their internal management: *Provided, however*, that the principal executive officer of the Normal and Industrial Universities shall be known and designated as president. In all institutions which furnish board to the inmates, the superintendent shall reside in the institution."

Amend, by striking out sections 27, 28, 30, 33, 36, 40, 43 and 49.

Amend section 17, by striking out the word "quarterly," in line 1, and inserting after the word "meetings," the words "at least as often as once in every three months."

Amend by striking out the words "supervisor of State institutions," in sections 20 and 21, and the word "supervisor," in sections 22 and 26, and substituting therefor, in each instance, the words "State Commissioners of Public Charities;" also, by substituting for the pronoun "he," in each of said sections referring to the said supervisor, the word "they."

Amend section 25, by adding, at the close of the section, the words "The number of the copies of the several reports of the institutions

named in this act, now prescribed by law, shall be printed and published under the supervision of the Commissioners of Public Charities, who shall have said reports printed, bound and ready for distribution to the members of the General Assembly within ten days after the meeting thereof."

Amend by striking out sections 31, 34, and 44, and by substituting therefor a new section, to follow section 15, as follows:

"The educational institutions named in this act, except the Institution for the education of Feeble-minded Children, shall have power to confer the academic and literary degrees usually conferred by institutions of their respective class, and to grant diplomas accordingly. The academic year of all said institutions is hereby fixed at forty weeks in each calendar year: *And, it is further provided*, that the maximum period during which any pupil shall remain and continue in any of the said institutions as a beneficiary thereof, shall not exceed ten years in the aggregate, except as may be otherwise specially provided by law."

Amend by altering the numbers of the sections, so that sections 11 to 15 of the present bill will be numbered 1 to 5; the new section will be 6; 16 will be 7; the new section will be 8; 17 to 26 will be 9 to 18; the new section will be 19; 29 will be 20; 32 will be 21; 35 will be 22; 37 will be 23; 38 will be 24; 39 will be 25; 41 will be 26; 42 will be 27; 45 to 48 will be 28 to 31; 50 to 55 will be 32 to 37.

Pending the amendment offered by Mr. Thompson,

Mr. Steele moved that the bill and amendments be referred to the committee on judiciary.

After debate,

On motion of Mr. Nicholson,

The previous question was ordered.

The question then being, "Shall the bill and amendments be referred to the committee on judiciary?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Crews, Cusey, Donahue, Ferrell, Hampton, Henry, Jacobs, McGrath, Nicholson, Reynolds, Sheldon, Steele, Walte, Whiting, Wilcox, Williamson, Yager—19.

Those voting in the negative are,

Messrs. Brown, Burke, Casey, Cummings, Glenn, Green, Gundlach, Lee, Murphy, Palmer, Patterson, Starnes, Strong, Thompson, Voria, Ware, Warren—17.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of bills of the following titles, to wit:

Senate bill, No. 537, for "An act to provide for the payment of the registered indebtedness of counties, townships, cities and towns."

Senate bill, No. 364, for "An act to appropriate money to pay the salary and expense of publishing the report of the State Entomologist."

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, viz:

Senate bill, No. 315, for "An act to revise the law in relation to mortgages of real and personal property."

Senate bill, No. 493, for "An act to amend an act entitled 'an act in regard to roads and bridges in counties under township organization.'"

Senate bill, No. 522, for "An act authorizing the Trustees of the State Reform School to lease the labor of the inmates."

Senate bill, No. 552, for "An act to appropriate money for the purchase of furniture and bedding for the Illinois Soldiers' Orphans' Home."

Senate bill, No. 587, for "An act to amend an act entitled 'an act concerning circuit courts, and to fix the times for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook,' approved May 2, 1873."

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit :

Senate bill, No. 440, for "An act in relation to permitting animals to run at large," with an amendment.

In the adoption of which amendment I am instructed to ask the concurrence of the Senate.

A message from the Governor, by Philo J. Beveridge, Private Secretary :

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, to-wit :

Senate bill, No. 614, for "An act making an appropriation for the payment of the claim of A. Paine for binding the first and second volumes of the report of the geological survey of Illinois."

Senate bill, No. 607, for "An act in regard to attorneys general and State's attorneys."

House bill, No. 864, for "An act to amend an act entitled 'an act concerning circuit courts, and to fix the times for holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook,' approved May 2, 1873."

House bill, No. 815, for "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same and to repeal an act therein named."

House bill, No. 741, for "An act in relation to courts of record in cities."

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has receded from their amendment to Senate bill, No. 596, for "An act in relation to gas companies."

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in their amendment to the title of House bill, No. 410, for "An act to amend section 1 of an act entitled 'an act making appropriations for the payment of the indebtedness of the Soldiers' Orphans' Home.'"

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in their amendment to House bill, No. 719, for "An act to enable cities and villages to establish and regulate cemeteries."

Mr. Upton called up House message on Senate bill, No. 449, for "An act to revise the law in relation to permitting animals to run at large."

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendment to the bill?"

Amend section 1 by adding the following to said section : "May be taken in execution upon any judgment that may be recovered against

the owner or person having the possession or control of said animals on account of any violation of this act, anything in the exemption laws of this State to the contrary notwithstanding."

On motion of Mr. Donahue,

The previous question was ordered.

And the Senate refused to concur in the adoption of the amendment, by the following vote:

Those voting in the affirmative are,

Messrs. Burke, Cusey, Donahue, Green, Gundlach, Henry, Hinchcliffe, Jacobs, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Short, Thompson, Waite, Whiting, Wilcox, Yager—19.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brown, Casey, Cummings, Dow, Ferrell, Glenn, Hampton, Kehoe, Lee, McGrath, Starnes, Steele, Voris, Ware, Warren, Mr. President—18.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the following amendments to House bill, No. 623, for "An act to revise the law in relation to counties."

Strike out in line 4, section 38, the words "when this law goes into effect."

Amend section 39 by adding: "*Provided*, that any surplus remaining in the treasury, after full payment of such indebtedness, shall be transferred to the common fund of the county."

Amend article 2, of section 59, by inserting after the word "Norwood," the word "Park."

And has refused to concur in the following Senate amendments:

Amend section 26 by striking out all of the first clause of said section after the word "therefor," in the 6th line.

Amend by adding at the end of section 35 the following words: "*Provided*, that no claim shall be audited and allowed against the county, unless the same is presented within one year of the time the same becomes due and payable to said board."

House bill, No. 757, for "An act to amend section thirty-one (31) of 'an act concerning corporations,' in force July 1, 1872," having been printed, was read at large a third time.

On motion of Mr. Lee,

The previous question was ordered.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 23, nays 14.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Casey, Cusey, Dow, Ferrell, Glenn, Henry, Hinchcliffe, Lee, Nicholson, Palmer, Short, Steele, Thompson, Upton, Voris, Waite, Ware, Warren, Williamson—23.

Those voting in the negative are,

Messrs. Archer, Crews, Cummings, Donahue, Green, Gundlach, Hampton, Jacobs, Kehoe, Patterson, Reynolds, Sanford, Wilcox, Mr. President—14.

Mr. Donahue moved that the vote whereby House bill, No. 757, for "An act to amend section thirty-one (31) of 'an act concerning corporations,' in force July 1, 1872," was lost, be reconsidered.

The question being, "Shall the vote whereby the bill was lost be reconsidered?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Casey, Cummings, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Henry, Hinchcliffe, Kehoe, Lee, Nicholson, Palmer, Sheldon, Short, Starnes, Steele, Thompson, Upton, Waite, Ware, Warren, Whiting, Williamson, Yager—32.

Those voting in the negative are,

Messrs. Crews, Hampton, Jacobs, Sanford—4.



And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 35, nays 6.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Casey, Cummings, Cusey, Donahoe, Dow, Ferrell, Glenn, Green, Gundlach, Henry, Hinchcliffe, Kehoe, Lee, McGrath, Nicholson, Palmer, Sheldon, Short, Starnes, Steele, Thompson, Upton, Voris, Waite, Ware, Warren, Whiting, Wilcox, Williamson, Yager—35.

Those voting in the negative are,

Messrs. Hampton, Jacobs, Patterson, Reynolds, Sanford, Shepard—6.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and having received a vote of two-thirds of the members elected, was declared passed.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Upton (by unanimous consent) called up House message on House bill, No. 623, for "An act to revise the law in relation to counties."

The pending question being, "Shall the Senate recede from the following Senate amendments to the bill, in the adoption of which the House of Representatives refused to concur?"

Amend section 26 by striking out all after the first clause of said section after the word "therefor," in line 6.

Amend by adding at the end of section 35, the following words: "Provided, that no claim shall be audited and allowed against the county, unless the same is presented within one year of the time the same becomes due and payable to said board."

It was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Crews, Cummings, Cusey, Donahoe, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Short, Steele, Thompson, Upton, Voris, Ware, Warren, Whiting, Wilcox, Williamson, Yager, Mr. President—35.

Those voting in the negative are,

Messrs. Dow, McGrath, Reynolds, Waite—4.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 591, for "An act to further provide for the ordinary and contingent expenses of the State government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly," with amendments thereto.

In the adoption of which amendments I am directed to ask the concurrence of the Senate.

Mr. Shepard (by unanimous consent) called up House message on Senate bill, No. 591, for "An act to provide for the ordinary and contingent expenses of the State government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly."

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments to the bill?"

Amend section 1, by inserting after the 9th clause of printed bill, the following:

*Tenth*—The sum of one thousand dollars, or as much thereof as may be necessary, to defray the expenses as rents of committee rooms for

both branches of the General Assembly, to be paid upon bills of particulars certified to by the chairman of the contingent expenses of each house."

*"Eleventh—*To Thomas Killion and James Curtis, extra janitors in State house, each the sum of three dollars per day during the adjourned session of the Twenty-eighth General Assembly, to be paid upon bills of particulars, certified to by the Secretary of State, and approved by the Governor."

*"Twelfth—*To the office of the custodian of U. S. surveys, the sum of two hundred and fifty dollars, for stationery, to be paid upon bills of particulars, certified to by the Secretary of State, and approved by the Governor."

*"Thirteenth—*To John C. Hughes, the sum of one hundred and thirty dollars, for services in reading proof of private laws of Twenty sixth General Assembly; said account to be approved by the Governor."

*"Fourteenth—*To George Buckley, the sum of three hundred dollars and fifty cents, for services rendered to the printing investigation committee, as per contract with said committee, to be certified to by the chairman of the House printing committee, and approved by the Governor."

*"Fifteenth—*To Adam Doenges, the sum of one hundred and twelve dollars and fifty cents, for janitor's services, from June 1, to July 15, 1872, to be certified to by the Superintendent of Public Instruction, and approved by the Governor."

*"Sixteenth—*To R. P. Johnston, the sum of twenty-four dollars, for services rendered the House printing committee as notary public, to be certified to by the chairman of the House printing committee, and approved by the Governor."

Amend the second clause of the first section by adding after the word "Governor," in line 7, (written bill,) the words "appropriations made by this clause to be paid out of the State school fund."

Amend the ninth clause of the first section by adding, after the word "work," in line 14 thereof, the words, "to be paid for as the work progresses, on the order of the Secretary of State, the Auditor of Public Accounts, and the Treasurer, approved by the Governor."

Rescind the amendment adopted by the House by striking out all after the word "thereof," in the ninth line, and inserting "payable on bills of particulars, certified to by the Governor."

It was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Cummings, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Henry, Hinchcliffe, Jacobs, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Thompson, Upton, Waite, Ware, Whiting, Wilcox, Williamson, Yager, Mr. President—32.

Mr. Crews voted in the negative.

Mr. Dow (by unanimous consent), from the committee on fees and salaries, to which was referred House bill, No. 673, for "An act to amend section 13 of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners,

arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' approved March 29, 1872,' reported the same back, and recommended its passage.

The report of the committee was concurred in, and the bill ordered on file to be considered by sections.

Mr. Thompson (by unanimous consent), from the committee on municipalities, to which was referred House bill. No. 832, for "An act to amend section 6 of article 6, of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 18, A. D. 1872, and in force July 1, A. D. 1872," reported the same back and recommended its passage.

The report of the committee was concurred in, and the bill was ordered on file to be considered by sections.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has receded from their amendment to Senate bill, No. 449, for "An act to revise the law in relation to permitting animals to run at large."

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 26th day of March, 1874, laid before the Governor for his approval, viz:

House bill, No. 831, for "An act to enable the corporate authorities now or hereafter incorporated under an act entitled 'an act to provide for the incorporation of cities and villages,' in force July 1, 1872, to acquire by purchase, lease or gift, establish, maintain, license and regulate ferries, bridges, the approaches thereto and tolls thereon."

House bill, No. 603, for "An act to revise the law in relation to the Department of Agriculture, county agricultural boards and agricultural fairs."

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 26th day of March, 1874, laid before the Governor for his approval, viz:

House bill, No. 712, for "An act to amend an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' in force July 1, 1872."

House bill, No. 433, for "An act to amend section 47 of an act entitled 'an act in regard to evidence and depositions in civil cases,' approved March 29, A. D. 1872."

House bill, No. 828, for "An act to amend an act entitled 'an act in regard to gateways, roads and bridges in counties not under township organization,' approved April 18, 1873."

House bill, No. 425, for "An act making an appropriation for the benefit of the State Board of Agriculture and of county agricultural boards."

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of bills of the following titles, to-wit:

Senate bill, No. 556, for "An act to authorize the removal of the feeder dam across the Calumet river, near Blue Island, in Cook county, in the State of Illinois, and to provide compensation to Christian Pfeiffer and John Roll for any loss they may sustain by its removal."

Senate bill, No. 543, for "An act concerning covenants of warranty."

Senate bill, No. 608, for "An act to amend section 92 of an act entitled 'an act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872."

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in their amendments to House bill, No. 891, for "An act to amend section 22 of an act entitled 'an act concerning jurors and to repeal certain acts therein named,' approved March 12, 1874."

On motion of Mr. Cummings,

The Senate, at 6:20 o'clock P. M., adjourned until 9:30 o'clock A. M. to-morrow.

### FRIDAY, MARCH 27, 1874—9:30 O'clock A. M.

The Senate met, pursuant to adjournment.

Prayer by Rev. Mr. Webster.

The journal of yesterday was being read, when,

On motion of Mr. Voris,

The further reading of the same was dispensed with.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 557, for "An act to empower the Auditor to draw his warrants for unexpended money heretofore appropriated to the institution for the education of the Blind, and for a further appropriation to said institution."

Mr. Waite presented the following, which was ordered spread on the journal:

LAW OFFICE OF KING & SCOTT, No. 180 CLARK ST.,  
CHICAGO, ILL., March 26, 1874.

HON. GEO. W. ARMSTRONG, *House of Representatives*:

DEAR SIR: Pfeiffer & Roll are unable to contend with the States of Illinois and Indiana; and although they know that the sum of \$6,000, mentioned in Senate bill No. 556, is entirely inadequate to compensate them for the loss which they will sustain by the taking down of the Calumet dam by the State, yet, to avoid further controversy, delay and anxiety, they will now accept the \$6,000. It seems hard, however, that the State is unwilling to make fair reparation to its citizens for the injuries which it inflicts upon them.

Yours, etc.,

WM. H. KING.

House bill, No. 798, for "An act to amend section 8 of an act entitled 'an act concerning corporations,' approved April 18, 1872," having been printed, was read at large a third time.

Mr. Cummings moved that the bill be ordered to lie on the table; which motion was decided in the negative.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 24, nays 16.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Cunningham, Donahue, Dow, Green, Hampton, Henry, Hinchcliffe, Jacobs, Nicholson, Palmer, Sanford, Sheldon, Shepard, Strong, Ware, Warren, Whiting, Williamson, Yager, Mr. President—24.

Those voting in the negative are,

Messrs. Casey, Crews, Cummings, Ferrell, Glenn, Gundlach, Kehoe, Lee, McGrath, Patterson, Reynolds, Starne, Thompson, Voria, Waite, Wilcox—16.

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has adopted the following resolution, to-wit:

*Resolved by the House of Representatives, That the Senate be and they are hereby requested to return to this House revision bill No. 623, entitled "Counties."*

Mr. Upton (by unanimous consent) moved to reconsider the vote whereby the Senate receded from its amendments to House bill, No. 623, for "An act to revise the law in relation to counties," in the adoption of which the House of Representatives refused to concur.

The question being, "Shall the vote whereby the Senate receded be reconsidered?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Casey, Crews, Cummings, Cunningham, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Lee, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Short, Steele, Strong, Thompson, Upton, Ware, Warren, Whiting, Wilcox, Williamson, Yager, Mr. President—36.

Those voting in the negative are,

Messrs. Kehoe, Reynolds, Waite—3.

Ordered that the bill be returned to the House of Representatives as requested by them this day.

Mr. Casey called up the motion entered on March 11, 1874, by Mr. Starne, to reconsider the vote whereby the preamble and resolutions offered by Mr. Casey, in regard to the Union Pacific and Kansas Pacific Railways, was indefinitely postponed.

The question being, "Shall the vote whereby the preamble and resolutions were postponed indefinitely be reconsidered?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Casey, Crews, Cummings, Donahue, Glenn, Gundlach, Hinchcliffe, Kehoe, Lee, McGrath, Palmer, Starne, Strong, Voria, Ware, Warren, Whiting, Mr. President—23.

Those voting in the negative are,

Messrs. Ferrell, Green, Hampton, Jacobs, Nicholson, Patterson, Reynolds, Sanford, Sheldon, Thompson, Waite, Wilcox, Williamson—13.

On motion of Mr. Donahue,

The previous question was ordered.

The question then being, "Shall the preamble and resolutions be indefinitely postponed?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Cunningham, Casey, Ferrell, Green, Gundlach, Hampton, Hundley, Jacobs, Nicholson, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Thompson, Waite, Wilcox, Williamson—19.

Those voting in the negative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Crews, Cummings, Donahue, Glenn, Henry, Hinchcliffe, Kehoe, Lee, McGrath, Palmer, Starne, Strong, Voria, Ware, Warren, Whiting, Yager—23.

On motion of Mr. Donahue,

The previous question was ordered.

The question then being, "Shall the preamble and resolutions be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Casey, Crews, Cummings, Cusey, Donahue, Glenn, Gundlach, Hinchcliffe, Kehoe, Lee, Nicholson, Palmer, Starue, Strong, Voris, Ware, Warren, Whiting, Yager—23.

Those voting in the negative are,

Messrs. Brown, Dow, Ferrell, Green, Henry, Hundley, Jacobs, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Steele, Thompson, Waite, Wilcox, Williamson, Mr. President—19.

A message from the House of Representatives, by Mr. Magie:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the adoption of the following resolution, to-wit:

WHEREAS the members of the joint committee of revision have received payment of their per diem only until the first day of November, 1873, while, in fact, they were necessarily engaged in the discharge of their duties upon said committee until the tenth day of December; therefore, be it

Resolved by the Senate, the House of Representatives concurring herein. That the members of said committee be paid, out of the proper appropriation, the per diem allowed by law to members of the General Assembly for the time they have been so engaged between the said first day of November and the tenth day of December, and that the President of the Senate and Speaker of the House make the proper certificate therefor.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 27th day of March, 1874, laid before the Governor for his approval, viz:

Senate bill, No. 364, for "An act to appropriate money to pay the salary and expense of publishing the report of the State Entomologist."

Senate bill, No. 537, for "An act to provide for the payment of the registered indebtedness of counties, townships, cities and towns."

Senate bill, No. 543, for "An act concerning covenants of warranty."

Senate bill, No. 577, for "An act to amend sections 1, 2, 4, 7, 9 and 12 of an act entitled 'an act for the registry of electors, and to prevent fraudulent voting,' approved February 15, 1865, and to repeal section 10 of said act."

Senate bill, No. 556, for "An act to authorize the removal of the feeder dam across the Calumet river, near Blue Island, in Cook county, in the State of Illinois, and to provide compensation to Christian Pfeiffer and John Roll for any loss they may sustain by its removal."

Senate bill, No. 558, for "An act to amend section 20 of an act entitled 'an act concerning conveyances,' approved March 29, 1872."

Senate bill, No. 611, for "An act to prevent the licensing of houses of ill-fame and the official inspection or medical examination of the inmates of the same."

Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence."

A message from the Governor, by Philo J. Beveridge, Private Sec'y:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, viz:

House bill, No. 730, for "An act to amend an act entitled 'an act to prevent extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to punish the same and prescribe a mode of procedure and rules of evidence in relation thereto,' and to repeal an act entitled 'an act to prevent unjust discriminations and extortions in

the rates to be charged by the different railroads in this State for the transportation of freights on said roads,' approved April 7, A. D. 1871."

House bill, No. 831, for "An act to enable the corporate authorities now or hereafter incorporated under an act entitled 'an act to provide for the incorporation of cities and villages,' in force July 1, 1872, to acquire by purchase, lease or gift, establish, maintain, license and regulate ferries, bridges, the approaches thereto and tolls thereon."

House bill, No. 425, for "An act making an appropriation for the benefit of the State board of agriculture and of county agricultural boards."

Mr. Cummings (by unanimous consent) offered the following resolution:

*Resolved*, That the Secretary of the Senate is hereby directed to retain his assistants for thirty days after the adjournment of this General Assembly: and in order to prevent a recurrence of the numerous mistakes which have occurred in the printing and comparing of the journals of almost every previous General Assembly, by which important laws have been vitiated and litigation involving millions of dollars has resulted, he is directed to attend to comparing, proof-reading and revising the journals of the Senate until their publication and distribution—the time to be certified to the Auditor by the President of the Senate.

On motion of Mr. Cummings,

The rules were suspended for the purpose of considering the foregoing resolution.

Mr. Hampton offered the following amendment, which was lost:

Amend by striking out before the word "day," "30," and insert in lieu thereof, "15."

Mr. Nicholson offered the following amendment:

Strike out "30 days" and insert "18 days."

Mr. Crews offered the following amendment to the amendment:

Amend amendment by striking out "18," and inserting "10," in lieu thereof.

The question being, "Shall the amendment to the amendment be adopted?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Burke, Casey, Crews, Cunningham, Green, Gundlach, Hampton, Hinchcliffe, Hundley, Kehoe, Lee, Starnes, Steele, Strong, Ware, Whiting—17.

Those voting in the negative are,

Messrs. Archer, Cummings, Cusey, Donahue, Dow, Ferrell, Glenn, Henry, Jacobs, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Waite, Warren, Wilcox, Williamson, Yager, Mr. President—23.

The question then being, "Shall the amendment offered by Mr. Nicholson be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Crews, Cummings, Cunningham, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, McGrath, Nicholson, Palmer, Patterson, Short, Ware, Warren, Whiting, Mr. President—27.

Those voting in the negative are,

Messrs. Burke, Casey, Cusey, Donahue, Reynolds, Sanford, Sheldon, Shepard, Starnes, Steele, Strong, Waite, Wilcox, Williamson, Yager—15.

The question then being, "Shall the resolution as amended be adopted?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Brooks, Cummings, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Henry, Hinchcliffe, Jacobs, Nicholson, Palmer, Patterson, Reynolds, Sanford, Shepard, Short, Thompson, Waite, Whiting, Wilcox, Williamson, Mr. President—27.

Those voting in the negative are,

Messrs. Brown, Burke, Casey, Crews, Hampton, Lee, Starnes, Strong, Yager—9.

Mr. Henry (by unanimous consent) offered the following resolution :

*Resolved*, That W. A. Moore, Sergeant-at-Arms, and N. B. Ames, Policeman, R. C. Staples, Postmaster, A. W. Kellogg, Assistant Postmaster, and Joseph Martin, Janitor, be and are hereby authorized to remain four days after adjournment, for the purpose of making an inventory of property under their care, and to turn the same over to the Secretary of State, and to attend to other necessary details; which time the President of the Senate shall certify to the Auditor.

On motion of Mr. Henry,

The rules were suspended for the purpose of considering the foregoing resolution.

The question being, "Shall the resolution be adopted ?" it was decided in the affirmative.

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the following amendments to House bill, No. 623, for "An act to revise the law in relation to counties :

Strike out, in line 4, section 38, the words "when this law goes into effect."

Amend section 39, by adding "*Provided*, that any surplus remaining in the treasury after full payment of such indebtedness shall be transferred to the common fund of the county."

Amend article 2, of section 59, by inserting after the word "Norwood," the word "park."

The said amendments were concurred in by a vote of two-thirds of the members elected—the said bill having an emergency expressed in the body of the act requiring it to go into effect prior to the first day of July next.

Mr. McGrath (by unanimous consent) offered the following resolution:

*Resolved*, That the Engrossing and Enrolling Clerks of the Senate be allowed eighteen days after the adjournment of the present session of the Legislature, at the *per diem* now allowed them by law, in which to complete the enrollment of bills in their possession, and to enroll such joint resolutions of the session as may have originated in the Senate; also to make a synopsis of all the bills the originals of which are in their office, preparatory to turning said originals over to the Secretary of State and taking his receipt therefor, and for the further purpose of allowing them to index the records and to arrange and classify the papers and books in their office, together with such other unfinished business as may be necessary for them to do; and that the President of the Senate is hereby directed to certify said time to the Auditor of Public Accounts, who shall draw his warrants on the Treasurer for the same.

On motion of Mr. McGrath,

The rules were suspended for the purpose of considering the foregoing resolution.

Mr. Hampton offered the following amendment to the resolution :

Amend by adding : "And that the Pages of the Senate be permitted to remain 10 days after the adjournment in order to render assistance to the Secretary in the discharge of their duties."

On motion of Mr. Palmer,

The previous question was ordered.

The question being, "Shall the amendment offered by Mr. Hampton be adopted ?" it was decided in the negative.

The question then being, "Shall the resolution be adopted ?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote :

Those voting in the affirmative are,

Messrs. Brooks, Cunningham, Casey, Donahue, Dow, Ferrell, Green, Gundlach, Henry, McGrath, Nicholson, Palmer, Reynolds, Sheldon, Shepard, Short, Upton, Wilcox, Williamson, Mr. President—20.

Those voting in the negative are,

Messrs. Baldwin, Brown, Burke, Crews, Cummings, Hampton, Hinchcliffe, Jacobs, Kehoe, Patterson, Sanford, Starne, Strong, Warren, Yager—15.

Mr. Upton (by unanimous consent) called up House message on House bill, No. 623, for "An act to revise the law in relation to counties."



The pending question being, "Shall the Senate recede from its amendments to the bill in the adoption of which the House of Representatives refused to concur?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Crows, Cunningham, Cusey, Donahue, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Lee, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Short, Starus, Steele, Strong, Thompson, Upton, Voris, Ware, Warren, Whitling, Wilcox, Williamson, Yager, Mr. President—37.

Messrs. Kehoe and Reynolds voted in the negative.

Mr. Ferrell (by unanimous consent) called up the order of executive messages for consideration.

The executive message of the 15th ult., transmitting the nominations of notaries public, was taken up.

The question being, "Does the Senate advise and consent to the nominations just made?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Cummings, Cunningham, Cusey, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Steele, Strong, Thompson, Upton, Voris, Ware, Warren, Wilcox, Williamson, Mr. President—32.

The following executive message was then taken up:

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to lay before the Senate the following written communication:

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, March 27, 1874.

*To the Honorable the Senate:*

I have the honor to nominate and appoint the following named gentlemen notaries public, in and for the counties in which they respectively reside:

Names.	Residence.	County.
Erskine, D. W.	Waukegan	Lake.
Baker, Wilson G.	Chicago	Cook.
Dellveiler, Jacob.	"	"
Aiken, Henry K.	"	"
Horne, Henry H.	Lobanow.	St. Clair.
Hallbrook, Clark.	Bloom.	Cook.
Lewis, Eugene.	Moline.	Rock Island.
Cushing, Edward T.	Chicago	Cook.
McConnell, James.	Turner	DuPage.
Logan, Patrick M.	Chicago	Cook.
Millard, Sylvester M.	"	"
Danforth, Chas. R.	Minonk.	Woodford.
Hartwick, Chas. M.	Cicero.	Cook.
Thompson, A. B.	Springfield	Sangamon.
Young, Geo. C.	Lake View.	Cook.
Whitford, E. W.	LaCleda.	Fayette.
Wightwick, John.	Clintonia.	DeWitt.
Hudson, Joseph.	Warrenville.	DuPage.
Mace, S. P.	Georgetown.	Randolph.
Beecher, M. D.	Delavan.	Tazewell.
Burnham, Walter.	Chicago.	Cook.
Head, Benj. F.	"	"
Ricker, Henry T.	Quincy	Adams.
Rood, L. W.	Aurora.	Kane.
Hendryx, Wm. B.	Bloomington.	McLean.
Schroder, Wm. L.	Chicago.	Cook.
Wilkinson, Jacob S.	Stewardson.	Shelby.
McEwen, Thomas.	Roadhouse.	Greene.
Burr, Alonzo.	Bloomington.	McLean.
Hemingway, A. T.	Cicero.	Cook.

Names.	Residence.	County.
Patton, Charles H.	Mt. Vernon	Jefferson.
Post, Wm. S.	Virden	Maconpin.
Buel, Silas A.	Rockford	Winnebago.
Russ, Rupert	Lebanon	St. Clair.
Prickett, J. L.	Edwardsville	Madison.
Craig, James O.	Wyanet	Bureau.
Reed, Henry C.	Princeton	
Whitehall, Alex. L.	Watseka	Iroquois.
Miller, Jacob	Princeton	Bureau.
Deana, C. Werden	Chicago	Cook.
Cross, Elijah	Stone Fort	Saline.
Wagner, H. B.	Efingham	Efingham.
Haynie, Jas. H.	Chicago	Cook.
Keene, John, Jr.	Fairfield	Wayne.
Hill, Walter F.	Tolono	Champaign.
Powell, Isaac	Whitehall	Greene.
Renter, Herman	Chicago	Cook.
Gillespie, John M. J.		
Ward, Wm. E.	Altoona	Knox.
Capen, Seymour J.	Bloomington	McLean.
Phillips, Wesley	Liberty	White.

JOHN L. BEVERIDGE,  
Governor.

The question being, "Does the Senate advise and consent to the nominations just made?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Cunningham, Donahue, Ferrell, Green, Glenn, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, Lee, Nicholson, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Steele, Strong, Thompson, Upton, Ware, Warren, Whiting, Wilcox, Williamson, Yager, Mr. President—31.

The following executive message was taken up for consideration:

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, March 23, 1874.

*To the Honorable the Senate:*

I have the honor to nominate as a member of the Board of State Commissioners of Public Charities, George S. Robinson, of Sycamore, DeKalb county, to be his own successor, and respectfully ask your concurrence therein.

JOHN L. BEVERIDGE,  
Governor.

The question being, "Does the Senate advise and consent to the nomination just made?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Crews, Cummings, Cunningham, Donahue, Ferrell, Glenn, Green, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Lee, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Steele, Strong, Thompson, Upton, Warren, Whiting, Wilcox, Williamson, Yager, Mr. President—33.

The following executive message was taken up for consideration:

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, March 23, 1874.

*To the Honorable the Senate:*

I have the honor to nominate as public administrator, in and for Edgar county, Joseph E. Dyas, of Paris, to fill a vacancy; and respectfully ask your concurrence.

JOHN L. BEVERIDGE,  
Governor.

The question being, "Does the Senate advise and consent to the nomination just made?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Crews, Cunningham, Cusey, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Jacobs, Kehoe, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Steele, Strong, Voris, Waite, Warren, Whiting, Wilcox, Yager, Mr. President—31.

A message from the House of Representatives, by Mr. Johns :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 600, for "An act to provide for the publication of the Revised Statutes of the State," with amendments thereto.

In the adoption of which amendments I am instructed to ask the concurrence of the Senate.

The following executive message was taken up for consideration :

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, March 23, 1874.

*To the Honorable the Senate:*

I have the honor to nominate as Trustee for the Institution for the education of Feeble-minded Children, William J. Rutledge, of Pike county, to be his own successor; and respectfully ask your concurrence therein.

JOHN L. BEVERIDGE,  
Governor.

The question being, "Does the Senate advise and consent to the nomination just made?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Crews, Cunningham, Donahue, Dow, Glenn, Green, Hampton, Henry, Hinchcliffe, Jacobs, Nicholson, Palmer, Patterson, Reynolds, Sanford, Shepard, Short, Steele, Voris, Waite, Warren, Whiting, Wilcox, Yager, Mr. President—26.

The following executive message was taken up for consideration :

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, March 23, 1874.

*To the Honorable the Senate:*

I have the honor to nominate the following named gentlemen as Trustees for the Institution for the education of the Deaf and Dumb: Stephen R. Capps, of Jacksonville, Morgan county; Isaac Lesen, of Quincy, Adams county; Melville A. Cushing, of Minonk, Woodford county; to fill vacancies. And respectfully ask your concurrence therein.

JOHN L. BEVERIDGE,  
Governor.

The question being, "Does the Senate advise and consent to the nominations just made?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Crews, Cunningham, Donahue, Dow, Ferrell, Green, Gundlach, Hampton, Henry, Jacobs, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Steele, Strong, Thompson, Upton, Waite, Whiting, Wilcox, Williamson, Mr. President—28.

Those voting in the negative are,

Messrs. Hundley, Kehoe, Voris, Warren—4.

The following executive message was taken up for consideration :

STATE OF ILLINOIS, EXECUTIVE DEPARTMENT,  
SPRINGFIELD, March 25, 1874.

*To the Honorable the Senate :*

I have the honor to nominate and (by and with the advice and consent of the Senate) to appoint Daniel G. Johnson, of Kendall county, to be public administrator in and for said county, to fill a vacancy.

JOHN L. BEVERIDGE,  
*Governor.*

The question being, "Does the Senate advise and consent to the nomination just made?" it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Crews, Cunningham, Donahue, Dow, Ferrell, Green, Gundlach, Hampton, Henry, Jacobs, Nicholson, Palmer, Patterson, Sanford, Sheldon, Shepard, Short, Steele, Strong, Thompson, Upton, Waite, Whiting, Wilcox, Williamson, Mr. President—27.

Those voting in the negative are,

Messrs. Brown, Casey, Kehoe—3.

A message from the Governor, by Philo J. Beveridge, Private Secretary :

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, to-wit:

House bill, No. 433, for "An act to amend section 47 of an act entitled 'an act in regard to evidence and depositions in civil cases.'"

House bill, No. 712, for "An act to amend an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' in force July 1, 1872."

House bill, No. 603, for "An act to revise the law in relation to the department of agriculture, county agricultural boards, and agricultural fairs."

On motion of Mr Hampton,

The rules were suspended, and House message on Senate bill, No. 600, for "An act to provide for the publication of the Revised Statutes of the State," was taken up for consideration.

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments to the bill?"

Amend section 2 by adding the following: "The acts of Congress upon the authentication of statutes, records, etc., and the transfer of cases from State to Federal courts, the naturalization of aliens, ceding lands to enable the construction of the Illinois and Michigan Canal, the Central railroad lands, the swamp land act of September 28, 1850, and the act relating to fugitives from justice."

It was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Casey, Crews, Cummings, Cunningham, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Short, Steele, Strong, Thompson, Upton, Voris, Waite, Ware, Warren, Whiting, Wilcox, Williamson, Mr. President—39.

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of bills of the following titles, to-wit :

Senate bill, No. 584, for "An act to enable the board of supervisors of Lawrence county to acquire title to the south part of the south-west quarter of section number three, town two north, range eleven west, seventy three acres, and to hold and dispose of the same for the use of the pauper fund of said county."

Senate bill, No. 603, for "An act to amend an act entitled 'an act to remedy the evils consequent upon the destruction of any public records by fire, or otherwise,' approved April 9, 1872."

Mr. Brooks (by unanimous consent) called up House bill, No. 743, for "An act to secure to clergymen of all denominations free access to the penitentiary at Joliet, and all other penal, reformatory and charitable institutions in the State of Illinois," for consideration by sections.

On motion of Mr. Waite,

The previous question was ordered.

The question then being, "Shall the Senate adopt the amendment reported from the committee on penal institutions?" it was decided in the negative.

Sections 1, 2 and 3 were adopted.

And the question being, "Shall this bill be read a third time?" it was decided in the affirmative.

On motion of Mr. Lee,

The rules were suspended, and House bill, No. 734, for "An act to secure to clergymen of all denominations free access to the penitentiary at Joliet, and all other penal, reformatory and charitable institutions in the State of Illinois," having been printed, was read at large a third time.

On motion of Mr. Brooks,

The previous question was ordered.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 29, nays 7.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Casey, Crews, Cummings, Donahue, Dow, Glenn, Green, Gundlach, Hinchcliffe, Hundley, Kehoe, Lee, McGrath, Palmer, Sheldon, Starne, Steele, Strong, Thompson, Upton, Voris, Waite, Ware, Warren, Williamson—29.

Those voting in the negative are,

Messrs. Cunningham, Ferrell, Hampton, Henry, Jacobs, Patterson, Sanford—7.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Steele,

The rules were suspended, and Senate bill, No. 538, for "An act to amend section fifty-four (54), of article nine, of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, 1872," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the negative—yeas 19, nays 20.

Those voting in the affirmative are,

Messrs. Brooks, Brown, Cummings, Donahue, Dow, Gundlach, Hinchcliffe, Hundley, Lee, McGrath, Nicholson, Palmer, Reynolds, Steele, Upton, Voris, Waite, Wilcox, Williamson—19.

Those voting in the negative are,

Messrs. Baldwin, Burke, Casey, Crews, Cunningham, Ferrell, Green, Hampton, Henry, Jacobs, Kehoe, Patterson, Sanford, Sheldon, Shepard, Short, Strong, Thompson, Warren, Whiting—20.

On motion of Mr. Cummings,

The Senate, at 12:25 o'clock P. M., adjourned until 2:30 o'clock P. M.

## TWO-THIRTY O'CLOCK P. M.

Senate met, pursuant to adjournment.

Mr. Nicholson (by unanimous consent) from the committee on roads, highways and bridges, to which was referred House bill, No. 762, for "An act to amend an act entitled 'an act in regard to roads and bridges in counties under township organization,' approved April 11, 1873," reported the same back and recommended that it pass.

The report of the committee was concurred in, and the bill was ordered on file to be considered by sections.

On motion of Mr. Nicholson,

The rules were suspended, and the bill was taken up for consideration by sections.

Section 1 was adopted.

And the question being, "Shall this bill be read a third time?" it was decided in the affirmative.

House bill, No. 715, for "An act to amend the title of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' in force July 1, 1872," having been printed, was read at large a third time.

On motion of Mr. Nicholson,

The previous question was ordered.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 31, nays 9.

Those voting in the affirmative are,

Messrs. Baldwin, Cummings, Cunningham, Dow, Ferrell, Green, Gundlach, Hampton, Henry, Hinchcliffe, Hundley, Jacobs, Kehoe, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Strong, Thompson, Upton, Waite, Ware, Whiting, Wilcox, Williams, Yager, Mr. President—31.

Those voting in the negative are,

Messrs. Brown, Burke, Casey, Crews, Donahue, Glenn, Starne, Voris, Warren—9.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, to-wit:

Senate bill, No. 537, for "An act to provide for the payment of the registered indebtedness of counties, townships, cities and towns."

Senate bill, No. 556, for "An act to authorize the removal of the feeder dam across the Calumet river, near Blue Island, in Cook county, in the State of Illinois, and to provide compensation to Christian Pfeiffer and John Roll, for any loss they may sustain by its removal."

Senate bill, No. 558, for "An act to amend section 20 of an act entitled 'an act concerning conveyances,' approved March 29, 1872."

Senate bill, No. 611, for "An act to prevent the licensing of houses of ill-fame and the official inspection or medical examination of the inmates of the same."

Senate bill, No. 364, for "An act to appropriate money to pay the salary and expense of publishing the report of the State Entomologist."

Senate bill, No. 543, for "An act concerning covenants of warranty."

Senate bill, No. 577, for "An act to amend sections 1, 2, 4, 7, 9 and 12, of an act entitled 'an act for the registry of electors and to prevent fraudulent voting,' approved February 15, 1865, and to repeal section ten of said act."

Senate bill, No. 448, for "An act to revise the law in relation to criminal jurisprudence."

Senate bill, No. 119, for "An act to fix the liabilities of common carriers receiving property for transportation."

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 27th day of March, 1874, laid before the Governor for his approval, viz :

House bill, No. 880, for "An act to amend sections six (6) and seven (7), of article four (4), of an act entitled 'an act to provide for the incorporation of cities and villages.'"

House bill, No. 837, for "An act to amend an act entitled 'an act in regard to gateways, roads and bridges in counties not under township organization,' approved April 18, 1873."

House bill, No. 642, for "An act to revise the law in relation to the Illinois and Michigan Canal, and for the improvement of the Illinois and Little Wabash rivers."

House bill, No. 834, for "An act to provide for the payment of the expenses of the Senate penitentiary investigation committee, and the expense of the witnesses and miscellaneous expenses of the House penitentiary committee, and expenses of other committees and persons."

House bill, No. 891, for "An act to amend section twenty-two (22) of 'an act concerning juries, and to repeal certain acts herein named,' approved February 11, 1874."

Mr. Donahue moved that the rules be suspended, for the purpose of allowing him to offer a resolution.

The question being, "Shall the rules be suspended to receive a resolution?" and the yeas and nays being demanded, it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Brown, Burke, Donahue, Ferrell, Hampton, Jacobs, Patterson, Reynolds, Sanford, Shepard, Short, Starne, Strong, Thompson, Voris, Ware, Yager—18.

Those voting in the negative are,

Messrs. Archer, Baldwin, Casey, Crews, Cummings, Dow, Glenn, Green, Gundlach, Henry, Kehoe, Lee, McGrath, Nicholson, Palmer, Sheldon, Upton, Waite, Warren, Whiting, Wilcox—21.

A message from the House of Representatives, by Mr. Magie :

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the adoption of the following resolution, to wit :

*Resolved by the Senate, the House of Representatives concurring herein, That when the two houses of this General Assembly shall adjourn on Thursday, April 2, they shall, respectively, stand adjourned sine die.*

With the following amendment thereto :

Strike out "Thursday, April 2d," and insert "Tuesday, March 31st."

On motion of Mr. Ferrell,

The rules were suspended, and the foregoing message from the House of Representatives was taken up for consideration.

The question being, "Shall the Senate concur with the House of Representatives in the adoption of their amendment to the resolution?" it was decided in the affirmative.

House bill, No. 108, for "An act to regulate the means of egress from public buildings," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 30, nays 0.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Casey, Cummings, Cunningham, Dow, Ferrell, Glenn, Green, Gundlach, Hampton, Hinchcliffe, Jacobs, Kehoe, Lee, Nicholson, Patterson, Sheldon, Shepard, Short, Starne, Strong, Thompson, Waite, Ware, Wilcox, Yager, Mr. President—30.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

House bill, No. 390, for "An act to amend section 14 of the act entitled 'an act in regard to judgments and decrees, and the manner of enforcing the same by execution, and to provide for the redemption of real estate sold under execution or decree,' in force July 1, 1872," having been printed, was read at large a third time.

On motion of Mr. Waite,

The previous question was ordered.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 27, nays 13.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Casey, Ferrell, Glenn, Gundlach, Hampton, Hinchcliffe, Jacobs, Kehoe, Lee, Nicholson, Palmer, Sanford, Shepard, Short, Starne, Steele, Upton, Voris, Waite, Ware, Warren, Whiting, Wilcox, Yager—27.

Those voting in the negative are,

Messrs. Burke, Crews, Cunningham, Donahue, Dow, Green, Henry, McGrath, Reynolds, Sheldon, Strong, Thompson, Williamson—13.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

House bill, No. 762, for "An act to amend an act entitled 'an act in regard to roads and bridges in counties under township organization,' approved April 11, 1873," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 33, nays 4.

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Brown, Burke, Casey, Crews, Cunningham, Donahue, Ferrell, Glenn, Gundlach, Henry, Hinchcliffe, Jacobs, Kehoe, Lee, Nicholson, Palmer, Patterson, Sheldon, Shepard, Short, Starne, Steele, Strong, Thompson, Upton, Waite, Ware, Warren, Whiting, Mr. President—33.

Those voting in the negative are,

Messrs. Green, Hampton, Reynolds, Sanford—4.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.



Mr. Hinchcliffe (by unanimous consent) called up House bill, No. 705, for "An act to amend sections six (6), seven (7), nine (9), twenty-four (24), twenty-six (26) and fifty-three (53), of article nine (9), of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, 1872," for consideration by sections.

Section 1 was adopted.

And the question being, "Shall this bill be read a third time?" it was decided in the affirmative.

On motion of Mr. Thompson,

The rules were suspended, and House bill, No. 705, for "An act to amend sections six (6), seven (7), nine (9), twenty-four (24), twenty-six (26) and fifty-three (53), of article nine (9), of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, 1872," having been printed, was read at large a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative—yeas 35, nays 1.

Those voting in the affirmative are,

Messrs. Baldwin, Brooks, Brown, Burke, Casey, Crews, Cunningham, Donahue, Dow, Glenn, Green, Gundlach, Henry, Hinchcliffe, Jacobs, Kehoe, Lee, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sheldon, Short, Steele, Strong, Thompson, Upton, Voris, Walte, Warren, Wilcox, Williamson, Yager, Mr. President—35.

Mr. Whiting voted in the negative.

This bill expressing an emergency in the body of the act, rendering it necessary that it should go into effect immediately, and having received a vote of two-thirds of the members elected, was declared passed.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, to-wit:

House bill, No. 834, for "An act to provide for the payment of the expenses of the Senate investigating committee, and the expenses of witnesses and miscellaneous expenses of the House penitentiary committee, and expenses of other committees and persons."

House bill, No. 880, for "An act to amend sections six (6) and seven (7), of article four (4), of an act entitled 'an act to provide for the incorporation of cities and villages,' in force July 1, 1872."

House bill, No. 837, for "An act to amend an act entitled 'an act in regard to gateways, roads and bridges in counties not under township organization,' approved April 18, 1873."

On motion of Mr. Lee,

The rules were suspended for the purpose of considering House bill, No. 852, for "An act to prevent fraud or fraudulent practices upon hotel keepers, boarding house keepers, or inn-keepers, and to provide a remedy therefor," by sections.

Sections 1, 2 and 3 were adopted.

And the question then being, "Shall this bill be read a third time?" it was decided in the affirmative.

On motion of Mr. Lee,

The rules were suspended, and House bill, No. 852, for "An act to prevent fraud or fraudulent practices upon hotel keepers or boarding house keepers, or inn keepers, and to provide a remedy therefor," having been printed, was read at large a third time.

On motion of Mr. Cummings,

The bill was recommitted to the committee on miscellany.

Mr. Reynolds moved to reconsider the vote whereby House bill, No. 798, for "An act to amend section eight (8) of an act entitled 'an act concerning corporations,' approved April 18, 1872," was lost.

The question being, "Shall the vote whereby the bill was lost be reconsidered?" it was decided in the negative by the following vote:

Those voting in the affirmative are,

Messrs. Brooks, Brown, Dow, Glenn, Green, Hinchcliffe, Jacobs, Nicholson, Reynolds, Sanford, Sheldon, Shepard, Voria, Williamson—15.

Those voting in the negative are,

Messrs. Archer, Cummings, Donahue, Hampton, Palmer, Patterson, Short, Sterne, Steele, Upton, Waite—11.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

House bill, No. 483, for "An act to repeal certain acts therein named," with amendments thereto.

In the adoption of which amendments I am instructed to ask the concurrence of the Senate.

Mr. Steele (by unanimous consent) called up House message on Senate bill, No. 483, for "An act to repeal certain acts therein named," for consideration.

The pending question being, "Shall the Senate concur with the House of Representatives in the adoption of the following amendments to the bill?"

Amend section 1 as follows:

Add to line 17, "except chapter 104, entitled 'Trespass.'"

Strike out of line 52, after the word "allowing," the word "the."

Strike out, in line 91, the word "February," and insert "January."

Strike out lines 104, 156 and 157.

Strike out "and," in line 177, and insert "or."

Strike out lines 178 and 179.

Strike out lines 262, 263, 264, 265, 266 and 267.

Insert in line 273, before the words "an act," the words "section 2 of."

Strike out lines 359, 360, 364, 365, 368 and 369.

Strike out "of," in line 386, and insert "in," as in the printed bill.

Strike out lines 408 and 409.

Strike out, in line 419, the words "to confer," and insert "confering."

Strike out, in line 452, the word "February," and insert "January," as in printed bill.

Strike out of line 472, the word "in," and insert "of."

Insert in line 538, before the words "an act," the words "section 3 of."

Strike out lines 596, 597, 622, 623, 649, 650 and 651.

Insert in line 657, after the words "including societies," the word "formed."

Strike out line 692.

Strike out of line 772, the figure "2," and insert "1."

Strike out of line 832, the word "No." and insert "number."

Strike out lines 895 and 896, 959, 994, 995, 996, 997, 1004, 1005, 1043, 1044, 1045, 1065 and 1066.

Strike out of line 1123, "1861," and insert "1867."

Strike out lines 1124, 1125, 1183, 1184, 1185, 1186, 1233, 1252, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1320 and 1321.

Strike out from line 1335, the word "court," and insert "circuit," as in printed bill.

Insert in line 1336, after the word "acting," the word "as."

Strike out lines 1385, 1386, 1387 and 1388.

Strike out of line 1395, the word "corporation," and insert "incorporation."

Insert in line 1426, after the word "netting," the word "of," as in printed bill.

Strike out, in line 1445, the figures "28," and insert "29."

Strike out lines 1465 and 1466.

Strike out, in line 1520, the word "district," and insert "circuit."

Insert after line 1637, the following: "An act to create a department of agriculture in the State of Illinois," approved April 15, 1871.

Strike out lines 1662 and 1663.

Insert in the written bill, after line 1665, the words, "An act to increase the jurisdiction of county courts," approved April 5, 1872, as in the printed bill.

Strike out lines 1669 and 1670.

Insert in written bill, after line 1689, the words: "An act to provide against the evils resulting from the sale of intoxicating liquors in the State of Illinois," approved January 13, 1872, as in the printed bill.

Strike out lines 1748 and 1749.

Strike out section 2, and insert instead thereof the following:

"§ 2. The repeal of the acts and parts of acts mentioned in the preceding section shall not affect suits pending or rights existing at the time this act takes effect, and as to all corporations, municipal or private, heretofore formed under any act of incorporation mentioned in the preceding section, such act of incorporation, and all amendments thereof, shall continue in force to the same extent and with like effect as if the same had not been repealed by this act, nor shall such repeal, as above mentioned, be taken, construed or held to avoid or impair any grant made or right acquired, or cause of action now existing under any such acts or the amendments thereto, but as to all grants made or rights acquired or causes of action now existing, said laws shall be continued in full force and effect. And all deeds or other instruments of writing affecting real estate, which have been proved or acknowledged according to any law in force at the time such proof or acknowledgment was made, may be recorded, and the same or a certified copy of the record thereof be read in evidence, notwithstanding the repeal of such laws, by this or any other act of this or the Twenty-seventh General Assembly. And when any limitation law has been revised by this or the Twenty-seventh General Assembly, and the former limitation law repealed, such repeal shall not be construed so as to stop the running of any statute, but the time shall be construed as if such repeal had not been made."

It was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Archer, Baldwin, Brooks, Burke, Crews, Cummings, Cunningham, Donahue, Dow, Ferrell, Glenn, Green, Gundlach, Hammon, Henry, Hinchcliffe, Jacobs, Kehoe, McGrath, Nicholson, Palmer, Patterson, Reynolds, Sanford, Sheldon, Shepard, Steele, Upton, Walte, Ware, Warren, Whiting, Wilcox, Williamson, Mr. President—35.

Mr. Sheldon (by unanimous consent) made the following report, which was ordered placed on the journal of this day:

Your committee on federal relations, to whom was referred the communication of Wm. A. Richardson, U. S. Treasurer, would report that the Governor has conferred further with the Treasury Department at

Washington, referring them to the provisions of an act passed by the Twenty-seventh General Assembly, and approved December 14, 1871, and has received in reply the following communication :

TREASURY DEPARTMENT,  
WASHINGTON, March 9, 1874.

HON. JOHN L. BEVERIDGE, *Springfield, Ill.*:

SIR: Referring to your letter of February 17, 1874, inclosing a copy of an act ceding jurisdiction to the United States over certain land, and for the purchase and condemnation thereof, I have to say that, the Attorney-General having had said act under consideration, is of the opinion that it sufficiently provides for a cession of jurisdiction to the United States over lands acquired by the latter in that State, thus satisfying the requirements of the law of Congress of September 11, 1841.

Very respectfully,

WM. A. RICHARDSON,  
*Secretary.*

It appearing from the foregoing, that no further legislation is needed, your committee herewith return the communication referred to them, with recommendation that no further action be taken thereon.

J. C. SHELDON,

*Chairman Committee on Federal Relations.*

Mr. Hampton (by unanimous consent) called up from the table Senate bill, No. 526, for "An act to repeal an act entitled 'an act to amend an act authorizing certain persons holding property in trust for the use of the Catholic church and societies thereof, in the State of Illinois, to convey the same,' approved February 24, 1845; also, to incorporate the Catholic Bishop of Chicago, and confirm conveyances made since the 24th day of February, 1845, heretofore by the Catholic Bishop of Chicago,' approved February 20, 1861," for consideration by sections.

On motion of Mr. Reynolds,

The further consideration of the bill was indefinitely postponed.

Mr. Crews (by unanimous consent) called up House bill, No. 849, for "An act to revise the law relating to the destruction of wild animals."

Which was read at large a first time, and ordered to a second reading.

Mr. Starne (by unanimous consent) offered the following resolution:

*Resolved*, That the thanks of the Senate are hereby tendered to Hon. John Early, President of the Senate, for the faithful and impartial manner in which he has discharged his duties.

On motion of Mr. Starne,

The rules were suspended, and the foregoing resolution was taken up for consideration.

And the resolution was unanimously adopted by a rising vote.

President Early, in response to the above resolution, addressed the Senate as follows:

*Gentlemen of the Senate:*

I should fail in my duty if I did not express to you my appreciation of the complimentary expressions contained in your resolution. The associations which have been formed between us during the past two winters have been very pleasant and agreeable to me, and in our official relations I have been deeply sensible of your forbearance, and thankful for your kind assistance, which has been so often needed, in the discharge of my duties as presiding officer of the Senate.

Elected by you to this position, and coming to it as I did with but a limited experience in the parliamentary knowledge necessary to a proper discharge of its requirements, I feel gratified for that kind assistance which has promoted the harmony of our deliberations.

It is also a source of gratification to me to know that our labors have been characterized by a determination to enact such laws as shall tend to promote the interests of the people—our constituents; and I may

express the hope that the character of our legislation has been such that the effect of its enactments will prove a credit to ourselves and redound to the honor of the State.

Gentlemen, there is little else for me to say but again to thank you for the kind sentiments expressed in your resolution, and to add my best wishes for your welfare.

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 27th day of March, 1874, laid before the Governor for his approval, viz:

House bill, No. 17, for "An act to enable boards of underwriters, incorporated by or under the laws of the State of Illinois, to establish and maintain a fire patrol."

House bill, No. 806, for "An act to amend section 6 of 'an' act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms,' approved March 7, 1872."

House bill, No. 410, for "An act to amend section 1 of an act entitled 'an act making appropriations for the payment of the indebtedness of the Soldiers' Orphans' Home,' approved March 12, 1872."

House bill, No. 757, for "An act to amend section 31 of 'an act concerning corporations,' in force July 1, 1872."

House bill, No. 735, for "An act to amend section 40 of an act entitled 'an act in regard to practice in courts of record,' approved February 22, 1872."

Mr. Thompson (by unanimous consent), from the committee on municipalities, to which was referred House bill, No. 794, for "An act concerning police magistrates and to repeal an act therein named," reported the same back with an amendment, and recommended its adoption, and that the bill as amended be passed.

The bill was ordered on file to be considered by sections.

Mr. Thompson (by unanimous consent), from the committee on municipalities, to which was referred Senate bill, No. 568, for "An act to authorize the county board to add to and disconnect territory from cities, towns and villages," reported the same back and recommended that the bill lie on the table.

The report of the committee was concurred in, and the bill was ordered to lie on the table.

Mr. Cummings, at 5:10 o'clock P. M., moved that the Senate adjourn.

The question being, "Shall the Senate now adjourn?" and the yeas and nays being demanded, it was decided in the affirmative by the following vote:

Those voting in the affirmative are,

Messrs. Baldwin, Burke, Casey, Crews, Cummings, Cunningham, Ferrell, Gundlach Hampton, Nicholson, Palmer, Sheldon, Shepard, Voris—14.

Those voting in the negative are,

Messrs. Brooks, Dow, Glenn, Hinchcliffe, Jacobs, Kehoe, McGrath, Reynolds, Short, Thompson, Walte, Warren, Yager—13.

SATURDAY, MARCH 28, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

The journal of yesterday was being read, when,

On motion of Mr. Warren,

The further reading of the same was dispensed with.

Mr. Reynolds (by unanimous consent) offered the following resolution:

*Resolved by the Senate, the House of Representatives concurring herein, That we, the members of the Twenty-eighth General Assembly, owe a debt of gratitude to Hon. C. W. Upton, Hon. C. B. Steele, Hon. Milton Hay, Hon. J. M. Rountree and Hon. C. Dunham, members of the joint committee of revision, for the earnest attention and satisfactory manner in which they have accomplished the duty assigned them of completing the revision of the statutes of the State.*

On motion of Mr. Reynolds,

The rules were suspended for the purpose of considering the foregoing resolution.

The question being, "Shall the resolution be adopted?" it was decided in the affirmative.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the passage of a bill of the following title, to-wit:

Senate bill, No. 270, for "An act to authorize the corporate authorities of any city in this State having a population of over two hundred thousand inhabitants to provide for a supply of illuminating gas," with amendments thereto.

In the adoption of which amendments I am instructed to ask the concurrence of the Senate.

Also, that they have refused to concur in the passage of Senate bill, No. 513, for "An act to amend section 24 of 'an act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872."

A message from the Governor, by Philo J. Beveridge, Private Secretary:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, viz:

Senate bill, No. 489, for "An act in relation to the office of chancellor in universities of learning."

House bill, No. 891, for "An act to amend section twenty-two (22) of 'an act concerning jurors, and to repeal certain acts herein named,' approved March 11, 1874."

House bill, No. 806, for "An act to amend section six of 'an act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms,' approved March 7, 1872."

House bill, No. 735, for "An act to amend section 40 of an act entitled 'an act in regard to practice in courts of record,' approved February 22, 1872."

House bill, No. 410, for "An act to amend section one of an act entitled 'an act making appropriations for the payment of the indebtedness of the Soldiers' Orphans' Home.'"

House bill, No. 642, for "An act to revise the law in relation to the Illinois and Michigan canal, and for the improvement of the Illinois and Little Wabash rivers."

Mr. Green offered the following resolution :

*Resolved*, That the thanks of the Senate are hereby tendered to D. A. Ray, Secretary; and to his efficient assistants, and to the other officers of the Senate for their faithful performance of the duties of their respective positions during the session of the General Assembly.

On motion of Mr. Green,

The rules were suspended for the purpose of considering the foregoing resolution.

The question being, "Shall this resolution be adopted?" it was decided in the affirmative.

On motion of Mr. Starne,

The Senate, at 10:30 o'clock A. M., adjourned.

MONDAY, MARCH 30, 1874—10 O'clock A. M.

Senate met, pursuant to adjournment.

The journal of Saturday last was read by the Secretary and approved by the Senate.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 30th day of March, 1874, laid before the Governor for his approval, viz :

Senate bill, No. 258, for "An act in regard to actions of account."

Senate bill, No. 279, for "An act to revise the law in relation to the Secretary of State."

Senate bill, No. 449, for "An act to revise the law in relation to permitting animals to run at large."

Senate bill, No. 455, for "An act to revise the law in relation to husband and wife."

Senate bill, No. 458, for "An act to provide for the licensing of and against the evils arising from the sale of intoxicating liquors."

Senate bill, No. 557, for "An act to empower the Auditor to draw his warrants for unexpended money heretofore appropriated to the Institution for the education of the Blind, and for a further appropriation to said institution."

Senate bill, No. 584, for "An act to enable the board of supervisors of Lawrence county to acquire title to the south part of the southwest  $\frac{1}{4}$  of section No. 3, town 2 north, range 11 west, 73 acres, and to hold and dispose of the same for the use of the pauper fund of said county."

Senate bill, No. 591, for "An act to further provide for the ordinary and contingent expenses of the State government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly."

Senate bill, No. 603, for "An act to amend an act entitled 'an act to remedy the evils consequent upon the destruction of any public records by fire or otherwise,' approved April 9, 1872."

Senate bill, No. 608, for "An act to amend section 92 of an act entitled 'an act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872."

Senate bill, No. 600, for "An act to provide for the publication of the Revised Statutes of the State."

A message from the House of Representatives, by Mr. Johns :

Mr. President : I am directed to inform the Senate that the House of Representatives has concurred with them in the Senate amendments to House bill, No. 390, for "An act to amend section fourteen (14) of the act entitled 'an act in regard to judgments and decrees and the manner of enforcing the same by execution, and to provide for the redemption of real estate sold under execution or decree,' in force July 1, 1872."

Mr. McGrath, from the committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and on the 30th day of March, 1874, laid before the Governor for his approval, viz :

House bill, No. 715, for "An act to amend the title of an act entitled 'an act to fix the salaries of State officers ; of the judges of the circuit courts and superior court of Cook county ; of the State's attorneys ; of the judges and prosecuting attorneys of inferior courts in cities and towns ; of the county officers of Cook county ; to regulate the fees of the Secretary of State, and of the clerks of the supreme court ; to classify the counties according to population, and fix the scale of fees for county officers in each class ; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers ; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' in force July 1, 1872."

House bill, No. 719, for "An act to enable cities and villages to establish and maintain cemeteries."

House bill, No. 310, for "An act to provide for the sale of unclaimed property by common carriers, warehousemen and innkeepers."

House bill, No. 762, for "An act to amend an act entitled 'an act in regard to roads and bridges in counties under township organization,' approved April 11, 1873."

House bill, No. 743, for "An act entitled 'an act to secure to clergymen of all denominations free access to the penitentiary, at Joliet, and other penal, reformatory and charitable institutions in the State of Illinois.'"

House bill, No. 515, for "An act to amend an act entitled 'an act in relation to the penitentiary at Joliet, to be entitled 'an act to provide for the management of the Illinois State Penitentiary at Joliet,' approved June 16, 1871."

House bill, No. 810, for "An act to amend section fifty (50) of an act entitled 'an act to establish and maintain a system of free schools,' approved April 1, 1872."

House bill, No. 390, for "An act to amend section fourteen (14) of the act entitled 'an act in regard to judgments and decrees, and the manner of enforcing the same by execution, and to provide for the redemption of real estate sold under execution or decree,' in force July 1, 1872."

House bill, No. 705, for "An act to amend sections six (6), seven (7), 9, 24, 26 and 53, of article nine (9), of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 18, 1872."

House bill, No. 608, for "An act to revise the law in relation to attorneys and counselors."

House bill, No. 108, for "An act to regulate the means of egress from public buildings."



A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the adoption of the following resolution, to-wit:

*Resolved by the Senate, the House of Representatives concurring herein.* That we, the members of the Twenty-eighth General Assembly, owe a debt of gratitude to Hon. C. W. Upton, Hon. Charles B. Steele, Hon. Milton Hay, Hon. J. M. Rountree and Hon. Charles Dunham, members of the joint committee of revision, for the earnest attention and satisfactory manner in which they have accomplished the duty assigned them, of completing the revision of the statutes of the State.

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the adoption of the following resolution, to-wit:

WHEREAS, the United States Centennial Commission has requested the appointment in each State of a "State Board of Managers," to represent their respective States at the International Exhibition to be held in the city of Philadelphia in 1876; therefore,

*Resolved by the Senate, the House of Representatives concurring herein.* That the Governor be and is hereby authorized to appoint a "State Board of Managers," consisting of seven members, two of whom shall be the U. S. Centennial Commissioner and alternate heretofore appointed, to represent the interests of this State at the International Exhibition to be held at the city of Philadelphia in 1876. And the Governor is also hereby authorized to require said "State Board of Managers," annually, to report to him their proceedings on or before the first of January, to be by him submitted to the General Assembly: *Provided*, that said Board of Managers shall not incur any expense, personal or otherwise, on behalf of the State.

A message from the Governor, by Philo J. Beveridge, Private Sec'y:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, viz:

House bill, No. 715, for "An act to amend the title of an act entitled 'an act to fix the salaries of State officers; of the judges of the circuit courts and superior court of Cook county; of the State's attorneys; of the judges and prosecuting attorneys of inferior courts in cities and towns; of the county officers of Cook county; to regulate the fees of the Secretary of State, and of the clerks of the supreme court; to classify the counties according to population, and fix the scale of fees for county officers in each class; to establish the fees of masters in chancery, notaries public, commissioners, arbitrators, jurors, witnesses, justices of the peace, constables, and all town officers; to provide the mode of rendering their accounts, and to fix a penalty for exacting illegal fees,' in force July 1, 1872."

House bill, No. 762, for "An act to amend an act entitled 'an act in regard to roads and bridges in counties under township organization,' approved April 11, 1873."

House bill, No. 757, for "An act to amend section thirty-one (31) of 'an act concerning corporations,' in force July 1, 1872."

House bill, No. 17, for "An act to enable boards of underwriters incorporated by or under the laws of the State of Illinois to establish and maintain a fire patrol."

House bill, No. 108, for "An act to regulate the means of egress from public buildings."

House bill, No. 515, for "An act to amend an act entitled 'an act in relation to the penitentiary at Joliet, to be entitled 'an act to provide for the management of the Illinois State Penitentiary at Joliet,' approved June 16, 1871."

House bill, No. 743, for "An act entitled 'an act to secure to clergymen of all denominations free access to the penitentiary at Joliet, and all other penal, reformatory and charitable institutions in the State of Illinois.'"

House bill, No. 719, for "An act to enable cities and villages to establish and maintain cemeteries."

House bill, No. 608, for "An act to revise the law in relation to attorneys and counselors."

House bill, No. 310, for "An act to provide for the sale of unclaimed property by common carriers, warehousemen and innkeepers."

On motion of Mr. Starnes,

The Senate, at 10:05 o'clock A. M., adjourned.

**TUESDAY, MARCH 31, 1874—10 O'clock A. M.**

Senate met, pursuant to adjournment.

The journal of yesterday was read by the Secretary, and approved by the Senate.

A message from the Governor, by Philo J. Beveridge, Private Sec'y:

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, viz;

House bill, No. 390, for "An act to amend section 14 of an act entitled 'an act in regard to judgments and decrees, and the manner of enforcing the same by execution, and to provide for the redemption of real estate sold under execution or decree,' in force July 1, 1872."

House bill, No. 705, for "An act to amend sections six (6), seven (7), nine (9), twenty-four (24), twenty-six (26) and fifty-three (53), of article nine (9), of an act entitled 'an act to provide for the incorporation of cities and villages,' approved April 10, 1872."

House bill, No. 810, for "An act to amend section 50 of an act entitled 'an act to establish and maintain a system of free schools,' approved April 1, 1872."

Senate bill, No. 258, for "An act in regard to the action of account."

Senate bill, No. 591, for "An act to further provide for the ordinary and contingent expenses of the State government until the expiration of the first fiscal quarter after the adjournment of the next regular session of the General Assembly."

Senate bill, No. 449, for "An act to revise the law in relation to permitting animals to run at large."

Senate bill, No. 557, for "An act to empower the Auditor to draw his warrants for unexpended money heretofore appropriated to the Institution for the education of the Blind, and for a further appropriation to said institution."

Senate bill, No. 584, for "An act to enable the board of supervisors of Lawrence county to acquire title to the south part of the southwest quarter of section number three, town two north, range eleven west, seventy-three acres, and to hold and dispose of the same for the use of the pauper fund of said county."

Senate bill, No. 603, for "An act to amend an act entitled 'an act to remedy the evils consequent upon the destruction of, any public records by fire or otherwise,' approved April 9, 1872."

Senate bill, No. 608, for "An act to amend section 92 of an act entitled 'an act for the assessment of property and for the levy and collection of taxes,' approved March 30, 1872."

Senate bill, No. 458, for "An act to provide for the licensing of and against the evils arising from the sale of intoxicating liquors."

Senate bill, No. 600, for "An act to provide for the publication of the Revised Statutes of the State."

Senate bill, No. 455, for "An act to revise the law in relation to husband and wife."

Senate bill, No. 279, for "An act to revise the law in relation to the Secretary of State."

A message from the House of Representatives, by Mr. Johns:

Mr. President: I am directed to inform the Senate that the House of Representatives has concurred with them in the adoption of the following resolution, to-wit:

WHEREAS, by act approved July 1, 1862, commonly known as the Pacific Railroad Act, the Congress of the United States provided for a main line of railroad and telegraph, to be built by the Union Pacific Railroad Company, incorporated by said act, from a point on the one hundredth meridian of longitude west from Greenwich to the west line of Nevada Territory, and to connect through to the Pacific Ocean; and said act of Congress also provided for several branches, to extend eastwardly from the initial point of said railroad: one to St. Joseph, one to Sioux City and one to Kansas City, on the Missouri river; and said Union Pacific Railroad and its branches having received subsidies in lands and bonds from the United States, and the companies having accepted the several acts of Congress incorporating and providing for said roads and branches, are subject to the same in all their provisions;

And whereas, by the 12th section of said act of Congress of July 1, 1862, it is provided that "the whole line of said railroad and branches and telegraph shall be operated and used for all purposes of communication, travel and transportation, so far as the public and the government are concerned, as one connected, continuous line;" and by the 15th section of the amendatory act of July 2, 1864, it is provided that "the several companies hereby authorized to construct the aforesaid roads are hereby required to operate and use said roads and telegraph for all purposes of communication, travel and transportation, so far as the public and the government are concerned, as one continuous line, and in such operation and use to afford and secure to each equal advantages and facilities as to rates, time and transportation, without any discrimination of any kind in favor of the road or business of any or either of said companies, or adverse to the road or business of any or either of the others;

And whereas, by the 8th section of said act of July 2, 1864, it is provided that "any company authorized by this act to construct its road and telegraph line from the Missouri river to the initial point aforesaid (100th meridian), may construct its road and telegraph line so as to connect with the Union Pacific Railroad at any point westwardly of such initial point, in case such company shall deem such western connection more practicable or desirable." And by the act amendatory of said acts, approved July 3, 1865, the Kansas Pacific Railway Company, one of said branches, (then known as the Union Pacific Railway Company, Eastern Division,) was required to connect its road with the Union Pacific Railroad at a point not more than fifty miles west of the meridian of Denver; and by the act of Congress, approved March 3, 1869, the said Kansas Pacific Railway Company was required to connect its road with the Union Pacific Railroad at Cheyenne, in Wyoming Territory, as a branch of the said Union Pacific Railroad, and was authorized to contract with the Denver Pacific Railway Company to construct and put in operation that part of its line between Denver and Cheyenne; and Congress took care to provide in said act that "all provisions of law for the operation of the Union Pacific Railroad, its branches and connections, as a continuous line without discrimination, shall apply the same as if the road from Denver to Cheyenne had been constructed by the said Union Pacific Railway Company, Eastern Division," (now Kansas Pacific Railway Company;) which connection at Cheyenne having been accomplished in the year 1870, the whole line has been and is now operated by the Kansas Pacific Railway Company as a continuous branch of the Union Pacific Railroad, from Cheyenne, in Wyoming, to Kansas City, in Missouri, pursuant to the acts of Congress aforesaid;

And whereas, the said Kansas Pacific Railway Company, having thus constructed and put in operation about seven hundred and forty-five miles of first class railroad, extending from Kansas City, in Missouri, to a connection with the Union Pacific Railroad at Cheyenne, in Wyoming, as provided for and required in the acts of Congress, the people of the several states and territories are entitled by law, to uniform rates of freight and passage eastward and westward over the Union Pacific Railroad, and over the Kansas Pacific Railway as a branch thereof, without discrimination of any kind in favor of the road or business of either of said companies, or adverse to the road or business of either of them. And any discrimination by the Union Pacific Railroad Company against freight and passenger traffic from the Kansas Pacific Railway, destined to points on the Union Pacific Railroad west of Cheyenne, or to points beyond the western terminus of said last named road, as also any discrimination by said Union Pacific Railroad Company against eastward bound freight and passenger traffic from points west of Cheyenne, and destined to points on the Kansas Pacific Railway, or east of its eastern terminus, is in violation of the laws of the United States and injurious to the people, who are by law entitled to uniform rates of freight and passage over said Union Pacific Railroad and branches. And any such discrimination by the Kansas Pacific Railway against freight and passenger traffic to or from the Union Pacific Railroad, is alike in violation of law and injurious to the people;

And whereas, the People of the State of Illinois are largely interested in commerce and intercourse with the vast and rapidly developing regions traversed by the Union Pacific Railroad and branches, and, together with the people of adjacent states, are entitled to all the benefits of the uniform rates and choice of routes which were intended and provided for in the acts of Congress organizing and subsidizing said railroads; therefore,

*Resolved by the Senate, the House of Representatives concurring therein,* That our Senators be instructed and our Representatives in Congress be requested to urge upon the consideration of their respective houses such legislation as will secure to the people of the United States those equal advantages and facilities as to rates, time and transportation on the Union Pacific Railroad and the several branches thereof, which are reserved and guaranteed to them as a chief part of the consideration to be given by the companies for the grant of lands and bonds so generously given to them by Congress.

*Resolved,* That the Secretary of State be instructed to forward a copy of the foregoing preamble and resolution to each of our Senators and Representatives in Congress from this State.

Mr. McGrath, from the joint committee on enrolled and engrossed bills, begs leave to report that bills of the following titles have been correctly enrolled, and, on the 31st day of March, 1874, laid before the Governor for his approval, viz :

Senate bill, No. 483, for "An act to repeal certain acts therein named."

Senate bill, No. 472, for "An act to revise the law in relation to State contracts."

Senate bill, No. 596, for "An act in relation to gas companies."

House bill, No. 203, for "An act in relation to fencing and operating railroads."

House bill, No. 623, for "An act to revise the law in relation to counties."

House bill, No. 792, for "An act to authorize incorporated cities, towns or villages in this State, situated upon the banks of navigable rivers, to lease parts of their public landings or levees."

A message from the Governor, by Philo J. Beveridge, Private Sec'y :

Mr. President: I am directed by the Governor to inform the Senate that he has approved and signed bills of the following titles, viz :

Senate bill, No. 472, for "An act to revise the law in relation to State contracts."

House bill, No. 203, for "An act in relation to fencing and operating railroads."

House bill, No. 623, for "An act to revise the law in relation to counties."

Senate bill, No. 483, for "An act to repeal certain acts therein named."

House bill, No. 792, for "An act to authorize incorporated cities, towns or villages in this State, situated upon the banks of navigable rivers, to lease parts of their public landings or levees."

Mr. Starne, at 12 o'clock M., moved that the Senate do now adjourn; which motion was decided in the affirmative.

And the President declared the Senate adjourned *sine die*, under the joint resolution adopted by both houses.



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**PAY-ROLL OF THE SENATE**

**AND**

**EXPENSES OF THE 28TH GENERAL ASSEMBLY.**

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*Prepared by the Auditor of Public Accounts.*

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Pay-Roll of the Senate.

MEMBERS.	FOR FIRST REGULAR SESSION. Convened January 8, 1873; adjourned May 6, 1873.						FOR ADJOURNED REGULAR SESSION. Conv'd Jan. 6, '74; adjourned Mar. 31, '74.						REMARKS.
	Number of days.....	Number of miles.....	Per diem.....	Mileage.....	Compensation for post- age, stationery, etc..	Total amount paid....	Number of days.....	Number of miles.....	Per diem.....	Mileage.....	Compensation for post- age, stationery, etc..	Total amount paid....	
Archer, Wm. R.	119	152	595	\$15 30	\$50	\$660 50	85		\$425			\$425 00	\$1,085 20
Baldwin, Elmer.	119	293	595	25 30	50	670 30	85		425			425 00	1,085 20
Brooks, Wm. S.	119	294	595	29 40	50	674 40	85		425			425 00	1,099 40
Brown, Wm.	119	85	595	6 80	50	651 80	85		425			425 00	1,076 80
Burke, B. T.	119	76	595	7 60	50	652 60	85		425			425 00	1,077 60
Burns, Geo. W.	119	228	595	22 80	50	667 80							667 80
Canfield, Eugene	119	248	595	24 80	50	679 80	85		425			425 00	1,104 80
Casey, T. S.	119	264	595	26 40	50	671 40	85		425			425 00	1,086 40
Castle, M. B.	119	264	595	26 40	50	671 40	85		425			425 00	1,102 40
Craw, Wm. J.	119	304	595	30 40	50	675 40	85		425			425 00	1,100 40
Cummings, S. P.	119	186	595	18 60	50	657 80	85		425			425 00	1,082 80
Cunningham, John	119	208	595	20 80	50	665 80	75		375			375 00	1,040 80
Casey, John	119	193	595	19 30	50	657 80	45		425			425 00	1,082 80
Donah, J. Michael	119	188	595	18 80	50	659 80	85		425			425 00	1,078 80
Dow, S. K.	119	270	595	27 00	50	692 00	85		425			425 00	1,107 00
Early, J.	119	454	595	45 40	50	690 40	85		425			425 00	1,115 40
Farrell, C. M.	119	450	595	45 00	50	690 00	85		425			425 00	1,118 00
Green, A. A.	119	154	595	15 40	50	660 00	85		425			425 00	1,085 00
Green, Henry	119	328	595	32 80	50	697 80	81		305			305 00	1,092 80
Gundlach, George	119	214	595	21 40	50	666 40	83		425			425 00	1,091 80
Hampton, Benj. R.	119	300	595	30 00	50	685 00	84		425			425 00	1,090 00
Henry, George W.	119	300	595	30 00	50	685 00	83		425			425 00	1,091 80
Hinchcliffe, John	119	218	595	21 80	50	666 80	83		425			425 00	1,090 80
Huntley, Wm. B.	119	54	595	5 40	50	650 40	83		425			425 00	1,075 40
Jacobs, Geo. P.	119	410	595	41 00	50	686 00	85		425			425 00	1,111 00
Kelley, Miles.	119	370	595	37 00	50	668 00	83		425			425 00	1,107 00
Kelley, Maurice.							210		425	\$21	\$50	496 00	486 00
Lee, John S.	119	146	595	14 60	50	659 60	85		425			425 00	1,084 60
McGrath, James J.	119	370	595	37 00	50	682 00	85		425			425 00	1,107 00
Murphy, Wm. K.	119	376	595	37 60	50	672 60	85		425			425 00	1,097 60
Nicholson, A. B.	119	60	595	6 00	50	651 00	85		425			425 00	1,076 00
Palmer, A. S.	119	230	595	23 35	50	668 00	85		425			425 00	1,093 00

{ 10 days deducted at his request, for absence ... }

{ 34 days deducted at his request, for absence ... }

Vice Geo. W. Burns, resign'd.







Clerk of Committee on Municipalities.....									
Thomas Tonsley.....	75	4	300	.....	300	.....	.....	.....	300
Frank E. Fowler.....	62	4	948	.....	948	.....	.....	.....	948
W. F. Keady.....	43	4	172	.....	172	.....	.....	.....	172
J. H. C. Irwin.....	38	4	152	.....	152	.....	.....	.....	152
L. A. Parker.....	56	4	924	.....	924	.....	.....	.....	924
E. S. Walker.....	46	4	184	.....	184	.....	.....	.....	184
E. B. Harlan.....	17	4	68	.....	68	.....	.....	.....	68
Clerk Special Committee on Union Stock Yards.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Assistant Enrolling and Engrossing Clerk.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
George Buckley.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Totals.....	.....	.....	\$14,237	.....	\$854	.....	\$6,613	\$792	\$10,405
					\$15,091				\$25,496

*Expenses of Joint Committee on Revision of Statutes, 28th General Assembly.*

Clark W. Upton .....	Member of Committee .....	218	\$5	\$1,000
Charles Dunham .....	" " .....	218	5	1,000
Charles B. Steele .....	" " .....	218	5	1,000
John M. Rountree .....	" " .....	218	5	1,000
Milton Hay .....	" " .....	178	5	890
Hervey W. Booth .....	Clerk and Secretary of Committee .....	221	5	1,455
Total .....	.....	.....	.....	\$6,705

*Statement of the expenses of the several Committees of the 28th General Assembly, incurred in Traveling, etc.*

NAMES.	COMMITTEE.	Amount.	Total.
H. B. Bishop .....	House Committee on State Institutions .....	\$30 13	
N. W. Brauns .....	" " " " .....	34 53	
C. P. Davis .....	" " " " .....	36 73	
T. E. Ferrier .....	" " " " .....	64 46	
John Gordon .....	" " " " .....	64 46	
B. R. Hite .....	" " " " .....	50 00	
W. A. Lemma .....	" " " " .....	57 86	
S. S. Mann .....	" " " " .....	64 46	
J. W. Meacham .....	" " " " .....	32 13	
S. M. Mitchell .....	" " " " .....	64 46	
N. B. Morrison .....	" " " " .....	64 46	
Isaac Rice .....	" " " " .....	36 73	
J. F. Scanlan .....	" " " " .....	60 06	
A. E. Stewart .....	" " " " .....	60 06	
Leonidas Walker .....	" " " " .....	60 06	
D. W. Barkley .....	House Committee on Penitentiary .....	52 10	
H. B. Bishop .....	" " " " .....	19 90	
R. Bishop .....	" " " " .....	38 85	
C. H. Dolton .....	" " " " .....	38 85	
W. W. Easley .....	" " " " .....	39 80	
J. S. Jessup .....	" " " " .....	32 20	
E. E. Lane .....	" " " " .....	19 90	
M. C. Quinn .....	" " " " .....	19 90	
D. Rankin .....	" " " " .....	52 10	
J. D. Webber .....	" " " " .....	51 15	
E. K. Westfall .....	" " " " .....	32 20	
Benson Wood .....	" " " " .....	32 20	
J. L. Wymore .....	" " " " .....	19 90	
E. Baldwin .....	Senate Committee on Charitable Institutions .....	4 40	
Wm. Brown .....	" " " " .....	4 40	
Eugene Canfield .....	" " " " .....	33 62	
M. B. Castle .....	" " " " .....	28 40	
John Cusey .....	" " " " .....	33 62	
John Hinchcliffe .....	" " " " .....	64 60	
J. C. Sheldon .....	" " " " .....	33 62	
W. H. Shepard .....	" " " " .....	29 22	
R. S. Thompson .....	" " " " .....	33 62	
L. D. Whiting .....	" " " " .....	4 40	
E. A. Wilcox .....	" " " " .....	64 60	
J. R. Loomis .....	House Committee on Public Buildings and Grounds .....	32 33	
S. S. Mann .....	" " " " .....	30 13	
J. P. Middlecoff .....	" " " " .....	24 66	
John H. Oberly .....	" " " " .....	24 66	
John Penfield .....	" " " " .....	32 33	
Otto Peltzer .....	" " " " .....	24 66	
Jonathan Plowman .....	" " " " .....	32 33	
John M. Rountree .....	" " " " .....	24 66	
H. P. Shumway .....	" " " " .....	32 33	

## STATEMENT—CONTINUED.

NAME.	COMMITTEE.	Amount.	Total.
W. H. Blakely.....	House Committee on Public Charities.....	\$26 00	
Henry Dresser.....	" " " " " ".....	8 40	
S. G. Lewis.....	" " " " " ".....	28 00	
M. D. Massie.....	" " " " " ".....	26 20	
J. H. Oakwood.....	" " " " " ".....	33 33	
Ingwell Oleson.....	" " " " " ".....	22 00	
J. A. Race.....	" " " " " ".....	33 33	
David Rankin.....	" " " " " ".....	33 33	
J. L. Wymore.....	" " " " " ".....	22 00	
John Cusey.....	Senate Special Committee on Chicago Stock Yards.....	26 66	
A. B. Nicholson.....	" " " " " ".....	26 60	
J. M. Patterson.....	" " " " " ".....	26 60	
Charles Voris.....	" " " " " ".....	26 60	
Jesse Ware.....	" " " " " ".....	26 60	
E. B. Harlan (Clerk).....	" " " " " ".....	26 60	
G. W. Armstrong.....	Joint Special Committee to visit Shawneetown.....	24 26	
Michael Donahue.....	" " " " " ".....	24 26	
C. M. Ferrell.....	" " " " " ".....	24 26	
G. M. Hollenback.....	" " " " " ".....	24 26	
Z. S. Swan.....	" " " " " ".....	24 26	
		\$2,359 48	
	Amount of above paid from Governor's Contingent Fund (elsewhere stated).....	368 29	
			\$1,991 19



**Detailed Statement of Miscellaneous Expenses of 28th General Assembly, paid from Appropriations to Secretary of State  
for Incidental Expenses.**

Date of payment.	To whom paid.	For what paid.	Amount.
1873. April 19.	A. L. Ide	Steam heating apparatus furnished Senate 28th General Assembly.	\$2,000 00
19	Springfield Gas Light Co.	Gas burned in rooms occupied by 28th General Assembly, during Jan., Feb. and March, 1873.	974 40
19	W. C. Barclay	Furniture and repairs for 28th General Assembly.	150 00
19	H. S. Ireland & Co.	Rent of rooms for House Judiciary committee 28th General Assembly 3 months, to April 15, 1873.	150 00
17	L. E. Bradley & Bro.	Rent of rooms for House committee on rules and claims 28th General Assembly.	35 00
21	L. E. Dyson	4 large dampers for House heating apparatus.	10 00
21	Kimber & Regisdale.	Mourning rosettes furnished Secretary of State for 28th General Assembly.	113 85
21	Thomas DuPlex.	Desk and table furnished Secretary of State for 28th General Assembly.	12 50
21	B. H. Ferguson	Rent of rooms for House committee on enrolled and engrossed bills, to April 13, 1873.	45 00
21	J. S. Fisher	Rent of 2 rooms for House com. on mines, etc., and en. and eng. clerk's, to April 13, 1873.	90 00
22	Joel Johnson	Rent of 12 rooms for House committees, for 3 months.	1,260 00
22	E. L. & W. L. Gross	39 copies Gross' Statutes, Vol. 1, furnished Secretary of State for 28th General Assembly.	312 00
22	L. A. Fuller	Rent of rooms for House committee on railroads, to April 13, 1873.	83 35
24	E. L. & W. L. Gross	Skeleton maps furnished Secretary of State for 28th General Assembly.	49 75
25	C. G. French	Gas burned in office of enrolling and engrossing clerk of Senate 28th General Assembly.	3 00
26	Henry Bugg	Spittoons, buckets, etc., furnished Secretary of State for 28th General Assembly.	52 85
29	Nutt & Barkley	Repairing chairs for 28th General Assembly.	12 00
30	S. P. Townsend	Ice furnished for 28th General Assembly.	252 00
May 6	J. Ruckel	Window shades furnished for 28th General Assembly.	71 60
6	H. Williams	1 stool for Secretary Senate 28th General Assembly.	2 00
6	John Williams & Co.	Carpet, matting, etc., for committee rooms 28th General Assembly.	347 88
6	Springfield Gas Light Co.	Gas burned in committee rooms, etc., 28th General Assembly.	303 25
6	A. L. Ide	Fuel, engineers, etc., operating heating apparatus for Senate and House 28th General Assembly.	1,371 00
6	D. S. Lombard	Amount due J. L. Crane, P. M., for postage stamps furnished Sec. of State for Sec. of Senate.	13 50
6	same	Washing towels for House of Representatives 28th General Assembly.	9 50
13	G. W. Chatterton	Rent of 2 rooms for Senate com. 28th General Assembly, for 3 months, to May 6, 1873.	96 00
15	B. H. Ferguson	Spittoons, tumblers, etc., furnished Secretary of State for 28th General Assembly.	36 30
16	John C. Delany	Drayage for 28th General Assembly.	31 50
17	Saunders Withrow	Washing towels for 28th General Assembly.	32 00
17	C. Harratty & Co.	Gas fitting, etc., for 28th General Assembly.	72 09
19	John Jackson	Whitewashing for 28th General Assembly.	36 00
20	P. W. Harris	Stationery furnished Secretary of State for 28th General Assembly.	1,567 35
27	same	Amount due Mrs. A. M. LaBarthe for rent of 5 rooms for Senate 28th General Assembly.	1,468 75
21	R. C. Steele	Assisting reading proof law 1873, making Index, etc.	150 00
21	John C. Hughes	Coal furnished Secretary of State for use of committee rooms 28th General Assembly.	35 00
22	J. G. Loose	Trunks furnished Secretary of State for use of 28th General Assembly for records.	36 84
23	S. Rowenwald	Postage stamps furnished Secretary of State for Clerk of House of Representatives.	18 50
31	J. L. Crane, P. M.	Amount paid to H. C. Cullom & Co., for furniture purchased for 28th General Assembly.	8 26
June 3	Geo. H. Harlow, Secretary	Amount paid for copying laws 28th General Assembly for printer.	764 80
3	same	Printing 7,000 copies Governor's message to 28th General Assembly in German.	267 40
4	Staats-Zeitung Printing Company	Stationery furnished 28th General Assembly for copyists of laws.	204 00
5	P. W. Harris		162 30
20	same		101 12

*Miscellaneous Expenses of 28th General Assembly—Continued.*

Date of payment.	To whom paid.	For what paid.	Amount.
1873. July 1.....	Geo. H. Harlow, Secretary.....	Amount due Chas. Fisher for carpenter work, repairing Senate Chamber.....	\$177 76
" 1.....	N. Leroy.....	Repairing locks, etc., and keys furnished, etc., 28th General Assembly.....	90 93
" 1.....	Edward Rutz, Treasurer.....	Amount due P. W. Harts, for stationery furnished Secretary of State for copyists, laws 28th General Assembly.....	71 25
" 10.....	T. S. Little.....	Valises furnished mail carrier 28th General Assembly.....	10 50
" 21.....	P. W. Harts.....	Stationery furnished Secretary of State for copyists laws 28th General Assembly.....	75 00
" 24.....	L. A. Fuller.....	Rent of rooms for House Committee on Railroads, 28th General Assembly.....	98 65
Sept. 11.....	P. W. Harts.....	Stationery furnished Secretary of State for copyists laws 28th General Assembly.....	134 50
Dec. 20.....	Nutt & Barkley.....	One case furnished and repairing done for 28th General Assembly.....	44 00
Jan. 2.....	G. W. Chatterton.....	Repairing clock in Senate Chamber.....	5 00
Feb. 14.....	S. P. Townsend.....	Ice furnished Secretary of State for 28th General Assembly.....	65 00
			\$13,407 65
	Wm. P. Emery & Co.....	Copying laws and Journals 28th General Assembly, on contract (in part pay).....	\$1,325 16
	P. W. Harts.....	For amount paid to May 30, 1874, on contract for printing paper and stationery for 28th General Assembly.....	\$35,490 01
	W. H. Bailhache & E. L. Merritt.....	For amount paid to May 30, 1874, on contract for printing for 28th General Assembly.....	\$66,872 41
	H. W. Rokker.....	For amount paid to May 30, 1874, on contract for binding for 28th General Assembly.....	\$19,960 00

## RECAPITULATION.

Total amount paid for per diem, mileage and compensation for postage, stationery, etc., to members of the Senate 28th General Assembly.....	\$55,753 20	
Total amount paid for per diem to officers and employees of the Senate 28th General Assembly.....	25,532 00	\$81,285 20
Total amount paid for per diem, mileage and compensation for postage, stationery, etc., to members of the House of Representatives 28th General Assembly.....	\$167,849 50	
Total amount paid for per diem to officers and employees House of Representatives 28th General Assembly.....	42,703 00	210,552 50
Total amount paid for the expenses of the several committees of the 28th General Assembly incurred in traveling, etc.....		1,991 19
Total amount paid for copying laws, journals, etc., 28th General Assembly, to May 30, 1874.....		1,325 16
Total amount paid for printing for 28th General Assembly, to May 30, 1874.....		66,872 41
Total amount paid for binding for 28th General Assembly, to May 30, 1874.....		19,960 00
Total amount paid for printing paper and stationery for 28th General Assembly, to May 30, 1874.....		35,480 01
Total amount paid for miscellaneous expenses 28th General Assembly, from special appropriations.....		1,564 56
Total amount paid for miscellaneous expenses 28th General Assembly, from Governor's contingent fund.....		399 39
Total amount paid for miscellaneous expenses 28th General Assembly, from appropriations to Secretary of State for incidental expenses.....		13,497 65
Total amount paid for per diem to members and clerk of the Joint Committee 28th General Assembly on Revision of Statutes.....		6,705 00
Total .....		\$439,632 97

AUDITOR'S OFFICE, ILLINOIS,  
SPRINGFIELD, May 30, 1874.

The foregoing statement of expenses of the 28th General Assembly is correct, as appears from the records of this office, and is prepared and published herein in accordance with the Constitution.

C. E. LIPPINCOTT, Auditor P. A.







